

**STAMFORD PLANNING BOARD
DRAFT MINUTES - TUESDAY, APRIL 19, 2016
PUBLIC MEETING - BOATYARD
GOVERNMENT CENTER - 4TH FLOOR CAFETERIA
888 WASHINGTON BLVD., STAMFORD, CT**

Stamford Planning Board Members present were: Voting Members: Theresa Dell, Chair; Claire Fishman, Secretary; Jennifer Godzeno; Jay Tepper, Vice Chair and Michael Totilo. Alternate: William Levin. Present for staff was David W. Woods, Ph.D., AICP, Principal Planner.

Ms. Dell called the meeting to order at 6:30 p.m. and introduced the members of the Board. Ms. Dell introduced the first item.

PLANNING BOARD MEETING MINUTES:

Meeting of 4/12/16: After a brief discussion, Mr. Totilo moved to recommend approval of the Planning Board Minutes of April 12, 2016; Mr. Tepper seconded the motion, and passed unanimously with eligible members present voting, 5-0 (Fishman, Godzeno, Levin, Tepper and Totilo; Ms. Dell was absent on 4/12/16).

Ms. Dell then welcomed everybody and introduced the following eight revised items that were the focus of the meeting which are referrals to the Zoning Board.

PRESENTATION BY BLT & PLANNING BOARD DISCUSSION:

1. **APPL. #216-03 - SOUTHFIELD PROPERTY, LLC - Text Change:** To amend Designed Waterfront Development District Regulations regarding minimum front yard to not exceed 25 feet.
2. **APPL. #215-02 - THE STRAND/BRC GROUP, LLC - Text Change:** To Amend SRD-S (Harbor Point) Regulations to increase permitted non-residential (FAR) from 0.20 to 0.23.
3. **APPL. #215-03 - THE STRAND/BRC GROUP, LLC - Washington Blvd./Bateman Way - Amend General Development Plan (GDP):** To amend the GDP for Harbor Point by replacing the note on the plan to read "Block P7 Permitted Uses: Office and Retail, Public Access, Marina, Parking" and amending the wording of Condition #7.
4. **APPL. #215-04 - SOUTHFIELD PROPERTY, LLC - Text Change:** To Amend DW-D standards regarding maximum building height, minimum front setback, retention of existing structures and exemption of Water Dependent Uses from the calculation of building coverage, ground coverage, public access, preservation of visual resources and landscaping.
5. **APPL. #215-05 - WATERFRONT OFFICE BUILDING, LP - 62, 68 & 78 Southfield Avenue - Map Change:** To rezone 8.15 acres of property from CW-D to DW-D, for property known as Stamford Landing.
6. **APPL. #215-06 - SOUTHFIELD PROPERTY, LLC & WATERFRONT OFFICE BUILDING, LP - 28, 46, 62, 68, 78 Southfield Avenue & 2 Selleck Street - Special Permit, General Development Plan and Coastal Site Plan Review:** To construct 261 units of housing and a boatyard and marina with public access uses on 13.4 acres in a DW-D zone.
7. **APPL. #215-07 - SOUTHFIELD PROPERTY, LLC & WATERFRONT OFFICE BUILDING, LP - 28, 46, 62, 68, 78 Southfield Avenue & 2 Selleck Street - Final Site and Architectural Plans & Requested Uses, Special Exception and Coastal Site Plan Review:** To construct 261 units of housing and a boatyard and marina with public access on approximately 13.4 acres in a DW-D zone.

8. **CSPR-978 - WATERFRONT MAGEE, LLC - 205 Magee Avenue:** To establish a boat storage and repair yard on 3.5 acres in an M-G zone.

Mr. John Freeman of BLT made a presentation to the Board discussing each item and explaining the extensive revisions made. (*Attachment #1*)

Ms. Dell then led questions from the Planning Board.

PUBIC COMMENTS:

Public comments started at approximately 8:30 p.m.

Ms. Dell called upon the prescheduled speakers from the attached sign-in sheet (*Attachment #2*), who also handed in copies of their comments on the Applications to the Board, as follows:

- **Virgil de la Cruz, Board of Representatives - District 2:** Representative de la Cruz read into the record the letter dated March 11, 2016 to Norman Cole, Land Use Bureau Chief, that he and Representative Elaine Mitchell, Board of Representatives - District 2, wrote outlining two major concerns: (1) creating a boardwalk connection across the boat launch by pedestrian drawbridge; and (2) their contention that the road traversing from Davenport Landing to Selleck Street must remain as a relief valve to traffic on Southfield Avenue. (*Attachment #3*)
- **Randy Dinter:** Outlined the case on why the City should deny this application and continue to enforce Condition #7 on the original General Development Plan (GDP). (*Attachment #4*)
- **Thomas Dougherty:** Worried about the size of the development and added traffic to the Waterside neighborhood. (*Attachment #5*)
- **Carolyn Goldenberg:** Declined speaking since Randy Dinter's presentation covered the issues she planned to address.
- **Carol Ann McClean:** Ms. McClean stated in her opposition to the plan as presented that this was "a failed plan and should be on only one site; returned to the 14-acres."
- **Barry Michelson:** Neither the Master Plan nor the Zoning Code allows for a boatyard to be located off the 14-acre site, which is in the SRD-S zone (South End Redevelopment District, South). Mr. Michelson stated that the SRD-S Zone allows for "the appropriate redevelopment of significant waterfront properties, while giving highest priority and preference to water-dependent uses and meaningful public access on waterfront site, consistent with the policies of the Connecticut Coastal Area Management Act. This also provides protection and encouragement of existing and new water-dependent uses and their essential supporting uses." (The Master Plan) (*Attachment #6*)
- **Maureen Boylan, Save Our Boatyard:** Discussed the issues relating to certain proposals to enhance the boatyard off of the 14-acres which she found totally unacceptable. Ms. Boyle also questioned whether the Boatyard on Davenport Landing would be too small to service the region or would Hinckley decide it was not economically viable and close its operation such as what recently happened at the Barnegat Bay Marina in New Jersey. (*Attachment #7*)
- **Kevin Dailey, McMichael Yacht Brokers:** Laid out another point-by-point case against any boatyard not on the 14-acre site. Mr. Dailey questioned the accuracy of the Market Study given that boats throughout the region are getting larger. (*Attachment #8*)
- **Mel Goldenberg:** Declined to speak since Randy Dinter's presentation covered the issues he planned to address.

- **William Krasnor:** Discussed the importance of allowing large scale boats such as his very large sailboat, which only a yard like Brewers' Yacht Haven West could provide, and the 14-acre site always served as a regional facility not just a Stamford facility which neither the Applicant's nor the City's study adequately addressed.

Ms. Dell asked if anyone else wished to speak who had not signed up. Hearing no response from the audience, she announced that the hearing would remain open until Friday, April 22, 2016 at 2:00 p.m. and invited all the speakers and anyone else who wished to submit comments, in writing, to Dr. Woods to be presented to the Planning Board prior to the May 3, 2016 decision to the Zoning Board. Below is a listing of the materials received after the conclusion of the meeting:

- **Damian Ortelli, Chairman, Stamford Harbor Management Commission:** Comments regarding the application for the Davenport Landing site. (*Attachment #9*)
- **Regina & Michael Kirshbaum:** Email in support of Davenport Landing. (*Attachment #10*)
- **Dick Gildersleeve:** Letter in support of BLT's proposal. (*Attachment #11*)
- **Paul Norton:** Email in support of Davenport Landing. (*Attachment #12*)
- **Jack Condlin, President & CEO, Stamford Chamber of Commerce:** Letter in support of BLT's proposal. (*Attachment #13*)
- **Rives Potts, President, Brewer Yacht Yard Group (submitted by Kevin Dailey):** Documents showing a comparison of services offered at Brewer Yacht Haven West vs. services presented in the BLT proposal. (*Attachment #14*)

OLD BUSINESS:

None.

NEW BUSINESS:

Next regularly scheduled Planning Board meetings are:

4/26/16 - CANCELLED

5/3/16 - Boatyard Referral/Decision

5/10/16 - Public Hearing & Regular Meeting

There being no further business to come before the Board, Ms. Dell adjourned the meeting at 10:00 p.m.

Respectfully Submitted,

Claire Fishman, Secretary
Stamford Planning Board

NOTE: These proceedings were recorded on video and audio tape and are available for review in the Land Use Bureau located on the 7th Floor of the Government Center, 888 Washington Boulevard, during regular business hours.

Presentation to
Stamford Planning Board

Davenport Landing/Stamford Landing,
205 Magee Avenue, and 14-Acre Sites

April 19, 2016

Davenport Landing & Stamford Landing

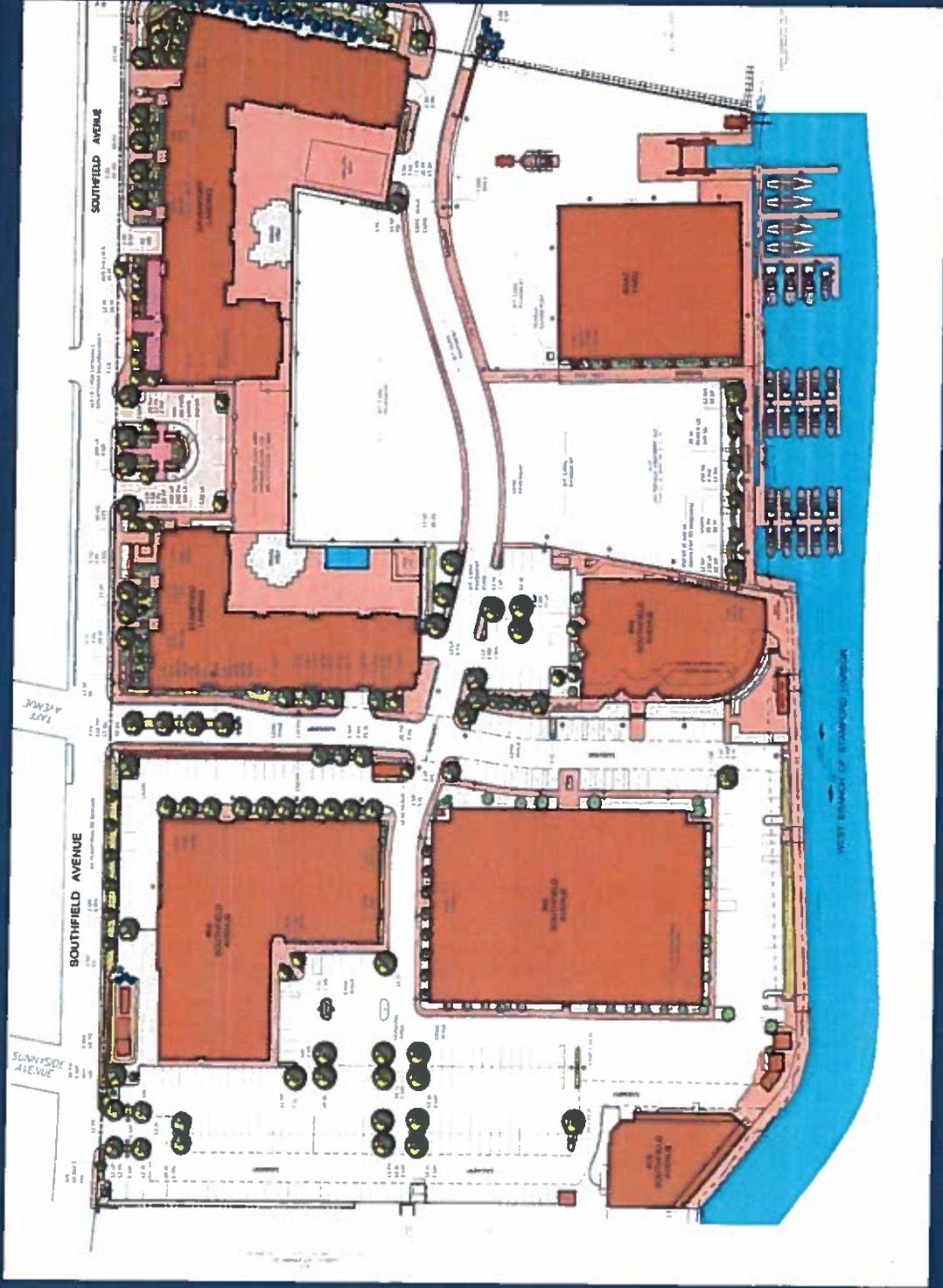


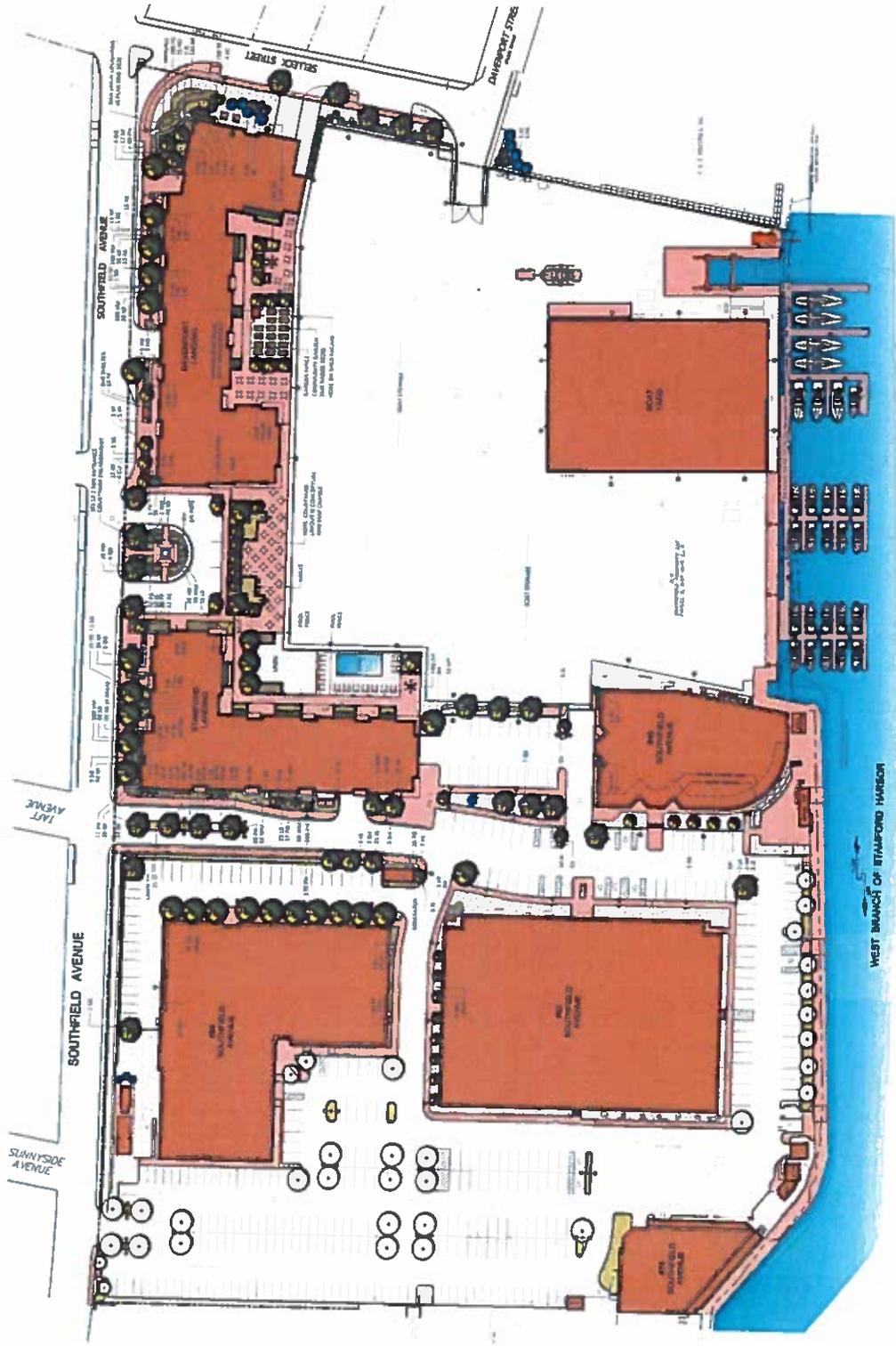
ARROW STREET STAMFORD LANDING & DAVENPORT LANDING

REVISED PROPOSAL

REVISED AERIAL VIEW / 19 April 2016

Davenport Landing/Stamford Landing





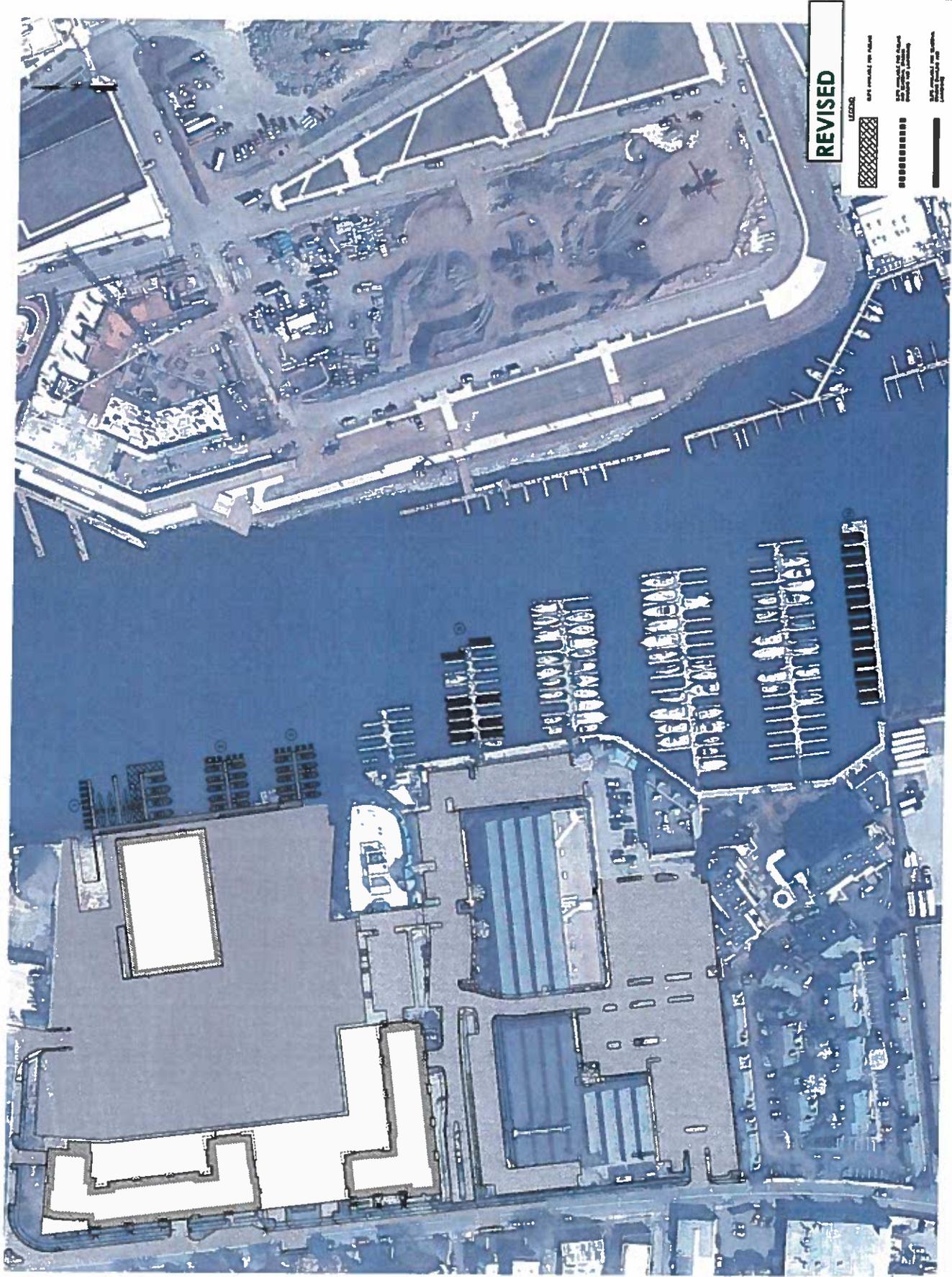
ARROWSTREET STAMFORD LANDING & DAVENPORT LANDING

REVISED PROPOSAL

NEW SITE PLAN / 19 April 2015

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CS-121

DAVENPORT LANDING
BOATS STAGING FOR FUELING AT DAVENPORT
CHANNEL
SOUTHERLY AVENUE

FUSS & O'NEILL
MARINE ENGINEERS
1000 WEST 10TH AVENUE
DENVER, CO 80202
TEL: 303.733.1111
FAX: 303.733.1112

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23	08/15/05	REVISED PER PERMITTING COMMENTS
24	09/15/05	REVISED PER PERMITTING COMMENTS
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27	12/15/05	REVISED PER PERMITTING COMMENTS
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143	08/15/15	REVISED PER PERMITTING COMMENTS
144	09/15/15	

NO.	DATE	DESCRIPTION
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4	2/10/77	REVISED PER COMMENTS
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23	11/25/77	REVISED PER COMMENTS
24	12/10/77	REVISED PER COMMENTS
25	12/25/77	REVISED PER COMMENTS

NO.	DATE	DESCRIPTION
1	1/1/77	ISSUED FOR PERMITS
2	1/15/77	REVISED PER COMMENTS
3	1/25/77	REVISED PER COMMENTS
4	2/10/77	REVISED PER COMMENTS
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21	10/25/77	REVISED PER COMMENTS
22	11/10/77	REVISED PER COMMENTS
23	11/25/77	REVISED PER COMMENTS
24	12/10/77	REVISED PER COMMENTS
25	12/25/77	REVISED PER COMMENTS

FUSS & O'NEILL
 ARCHITECTS
 100 SOUTHFIELD AVENUE
 SOUTHFIELD, MICHIGAN 48061
 (313) 281-1111

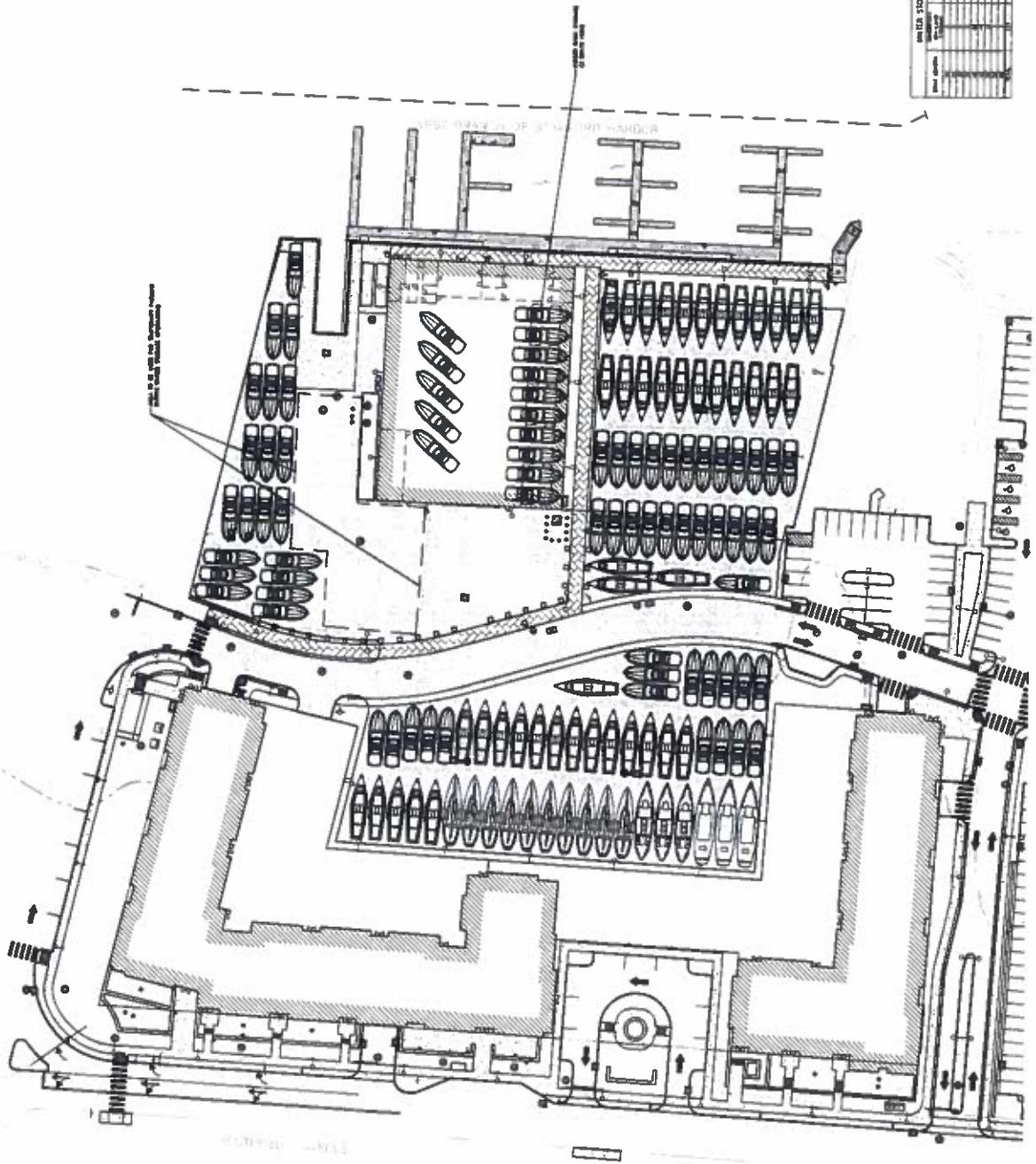
DAVENPORT LANDING & STAMFORD LANDING
 WINTER STORAGE PLAN - SOUTHFIELD AVENUE
 SOUTHFIELD AVENUE
 CONTRACT NO.

RC-111
 DATE: 1/1/77
 DRAWN BY: J. J. O'NEILL

ORIGINAL

UNDER STORAGE SUMMARY TABLE

NO.	DATE	DESCRIPTION
1	1/1/77	ISSUED FOR PERMITS
2	1/15/77	REVISED PER COMMENTS
3	1/25/77	REVISED PER COMMENTS
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23	11/25/77	REVISED PER COMMENTS
24	12/10/77	REVISED PER COMMENTS
25	12/25/77	REVISED PER COMMENTS



REVISED

RC-111

DAVEPORT LANDING & STAFFORD LANDING
WINTER STORAGE PLAN - SOUTHFIELD AVENUE
SOUTHFIELD AVENUE

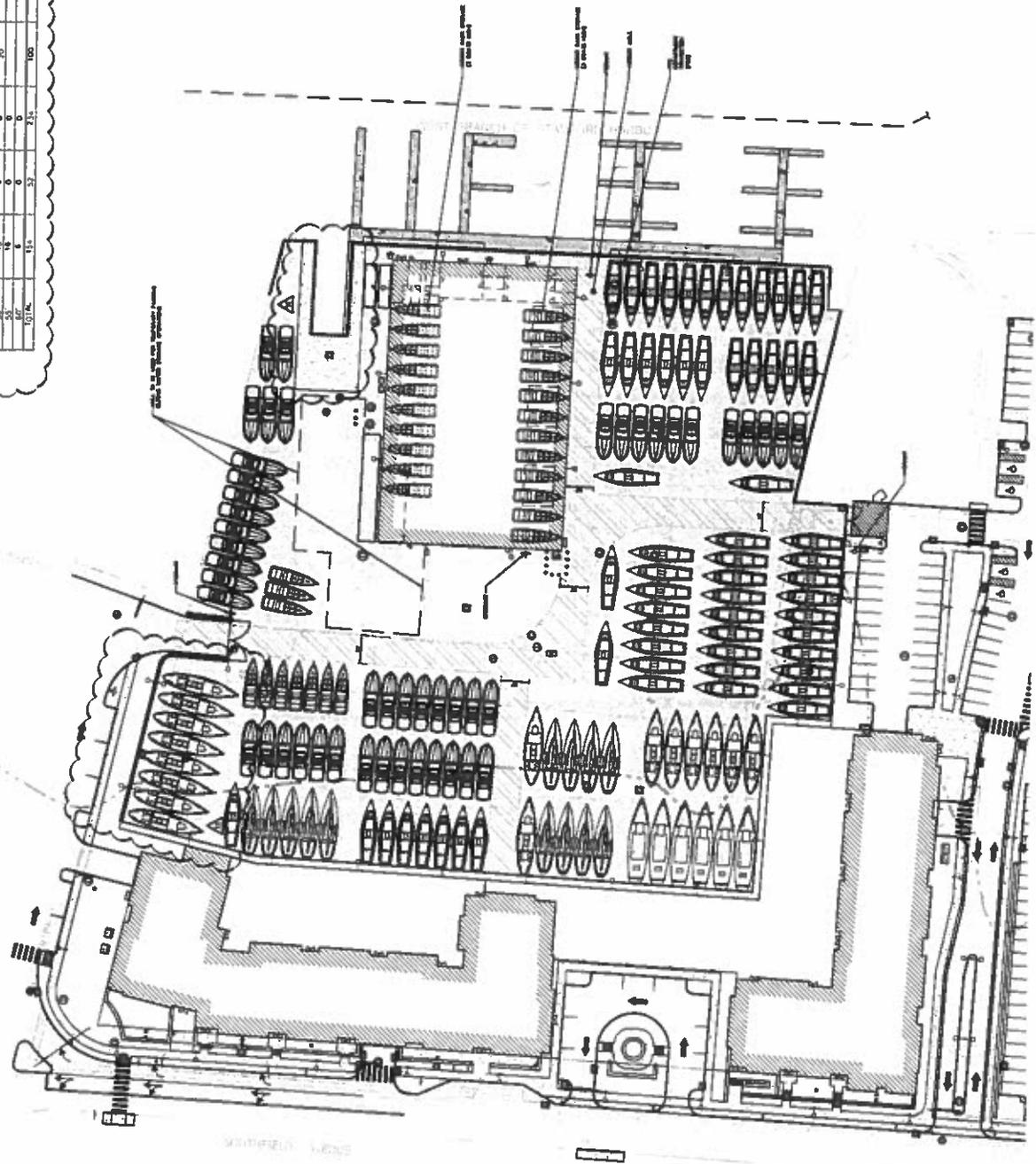
FUSS & O'NEILL

DATE	
SCALE	
PROJECT	
CLIENT	
DESIGNER	
CONTRACT	

NO.	DATE	DESCRIPTION
1	1/2/73	PRELIMINARY PLAN
2	2/1/73	REVISED PLAN
3	3/1/73	REVISED PLAN
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95	11/1/80	REVISED PLAN
96	12/1/80	REVISED PLAN
97	1/1/81	REVISED PLAN
98	2/1/81	REVISED PLAN
99	3/1/81	REVISED PLAN
100	4/1/81	REVISED PLAN

WINTER STORAGE SUMMARY TABLE

BOAT LENGTH	ON-LAND STORAGE	ON-WATER STORAGE	TOTAL
32	0	40	40
34	0	87	87
36	0	0	0
38	0	0	0
40	0	0	0
42	0	0	0
44	0	0	0
46	0	0	0
48	0	0	0
50	0	0	0
52	0	0	0
54	0	0	0
56	0	0	0
58	0	0	0
60	0	0	0
62	0	0	0
64	0	0	0
66	0	0	0
68	0	0	0
70	0	0	0
72	0	0	0
74	0	0	0
76	0	0	0
78	0	0	0
80	0	0	0
82	0	0	0
84	0	0	0
86	0	0	0
88	0	0	0
90	0	0	0
92	0	0	0
94	0	0	0
96	0	0	0
98	0	0	0
100	0	0	0
TOTAL	15	52	67



REVISED

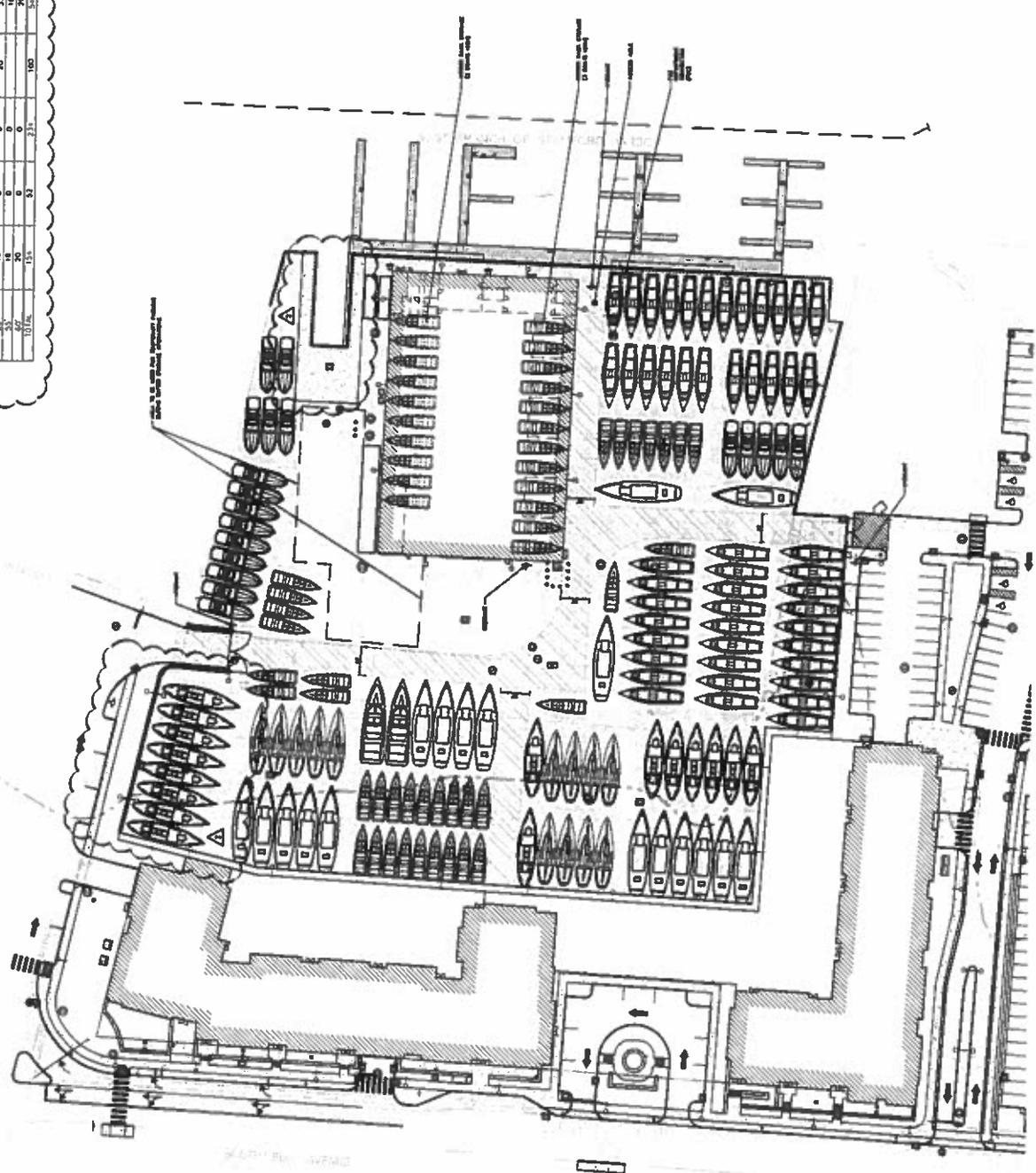
RC-111A

DAYTON LANDING & STAMFORD LANDING
WINTER STORAGE PLAN - SOUTHFIELD AVENUE
ALTERNATE
SOUTHFIELD AVENUE
CONNECTICUT

FUSS & O'NEILL
ARCHITECTS
100 SOUTHFIELD AVENUE
SOUTHFIELD AVENUE
DAYTON, OHIO 45424
PHONE: (513) 752-1111
FAX: (513) 752-1112

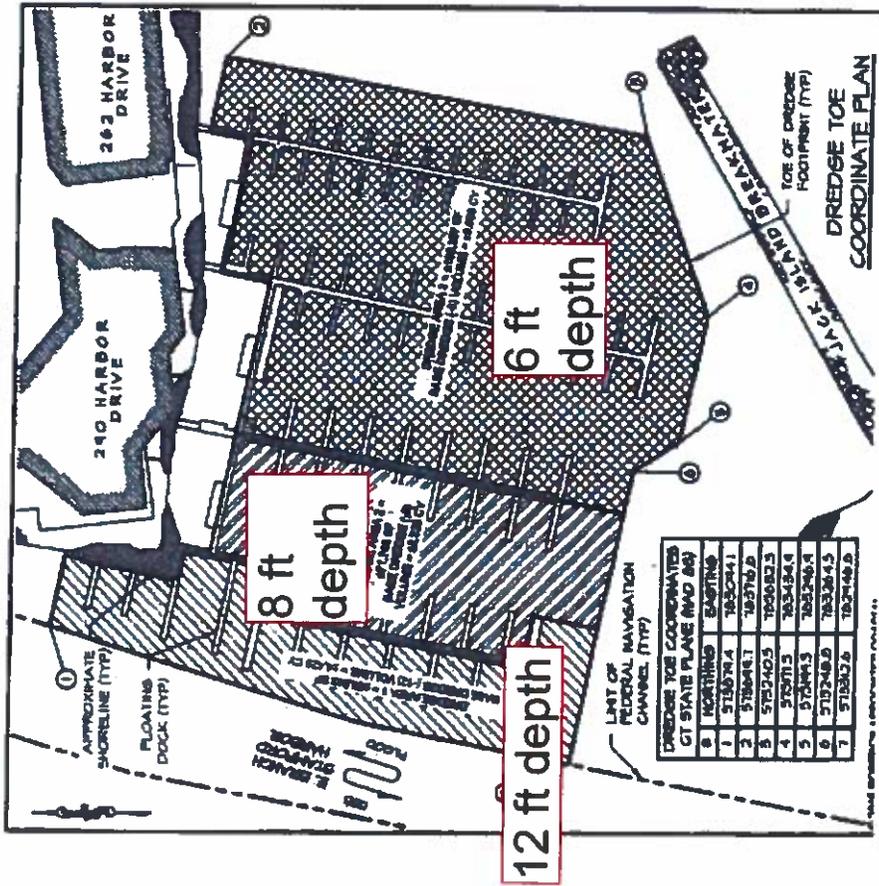
DATE: 11/11/11
SCALE: AS SHOWN
PROJECT: RC-111A
SHEET: 1 OF 1

NO.	DATE	DESCRIPTION
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3	11/11/11	ISSUED FOR PERMIT
4	11/11/11	ISSUED FOR PERMIT
5	11/11/11	ISSUED FOR PERMIT
6	11/11/11	ISSUED FOR PERMIT
7	11/11/11	ISSUED FOR PERMIT
8	11/11/11	ISSUED FOR PERMIT
9	11/11/11	ISSUED FOR PERMIT
10	11/11/11	ISSUED FOR PERMIT



WINTER STORAGE SUMMARY TABLE

BOAT LENGTH	DAYTON ON-LAND STORAGE	STAMFORD ON-LAND STORAGE	LOSS SPACE	IN-WATER STORAGE	TOTAL
20'	0	0	0	40	40
22'	0	0	0	40	40
24'	0	0	0	40	40
26'	0	0	0	40	40
28'	0	0	0	40	40
30'	0	0	0	40	40
32'	0	0	0	40	40
34'	0	0	0	40	40
36'	0	0	0	40	40
38'	0	0	0	40	40
40'	0	0	0	40	40
42'	0	0	0	40	40
44'	0	0	0	40	40
46'	0	0	0	40	40
48'	0	0	0	40	40
50'	0	0	0	40	40
52'	0	0	0	40	40
54'	0	0	0	40	40
56'	0	0	0	40	40
58'	0	0	0	40	40
60'	0	0	0	40	40
62'	0	0	0	40	40
64'	0	0	0	40	40
66'	0	0	0	40	40
68'	0	0	0	40	40
70'	0	0	0	40	40
72'	0	0	0	40	40
74'	0	0	0	40	40
76'	0	0	0	40	40
78'	0	0	0	40	40
80'	0	0	0	40	40
82'	0	0	0	40	40
84'	0	0	0	40	40
86'	0	0	0	40	40
88'	0	0	0	40	40
90'	0	0	0	40	40
92'	0	0	0	40	40
94'	0	0	0	40	40
96'	0	0	0	40	40
98'	0	0	0	40	40
100'	0	0	0	40	40
TOTAL	0	0	0	1600	1600



205 Magee

NO.	DATE	DESCRIPTION
1	12/20/00	AS BUILT
2	12/20/00	AS BUILT
3	12/20/00	AS BUILT
4	12/20/00	AS BUILT
5	12/20/00	AS BUILT
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7	12/20/00	AS BUILT
8	12/20/00	AS BUILT
9	12/20/00	AS BUILT
10	12/20/00	AS BUILT

NO.	DATE	DESCRIPTION
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2	12/20/00	AS BUILT
3	12/20/00	AS BUILT
4	12/20/00	AS BUILT
5	12/20/00	AS BUILT
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8	12/20/00	AS BUILT
9	12/20/00	AS BUILT
10	12/20/00	AS BUILT

NO.	DATE	DESCRIPTION
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2	12/20/00	AS BUILT
3	12/20/00	AS BUILT
4	12/20/00	AS BUILT
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6	12/20/00	AS BUILT
7	12/20/00	AS BUILT
8	12/20/00	AS BUILT
9	12/20/00	AS BUILT
10	12/20/00	AS BUILT

FUSS & O'NEILL
 ARCHITECTS & ENGINEERS
 100 WEST 11th STREET, SUITE 100
 DENVER, CO 80202
 PHONE: 303.733.1111
 FAX: 303.733.1112
 WWW.FUSSANDONEILL.COM

WATERFRONT MAJOR LLC
 WINTER STORAGE PLAN
 201 MADRID AVENUE
 DENVER, CO 80202

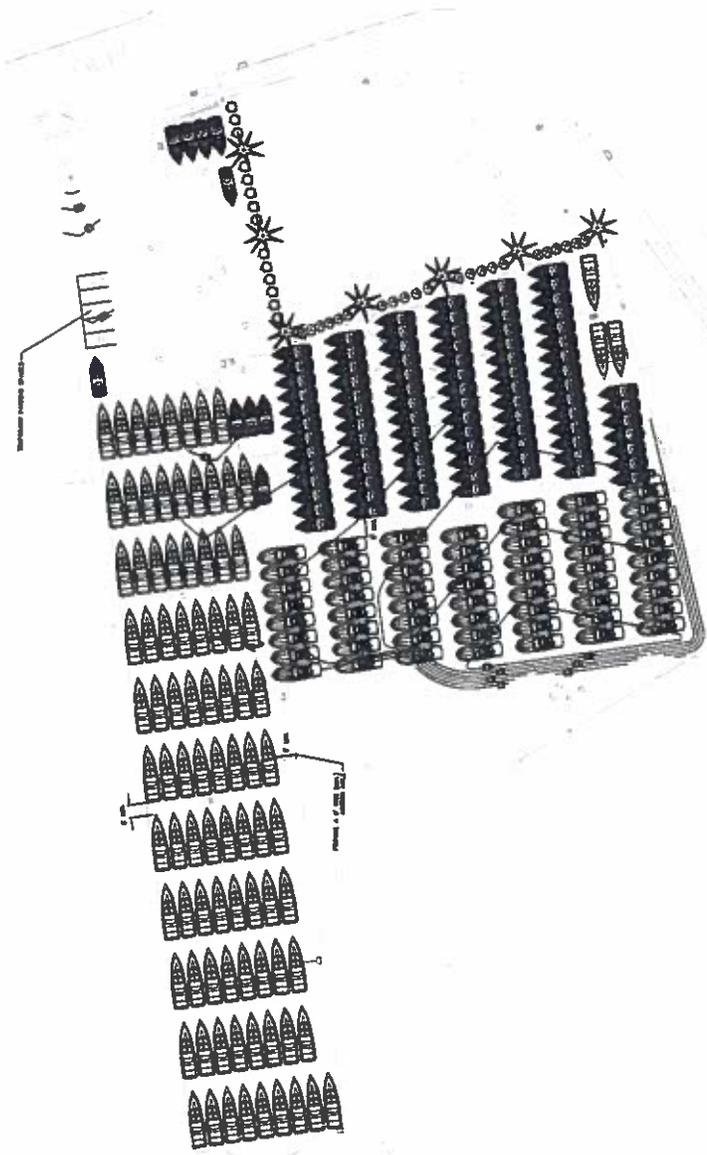
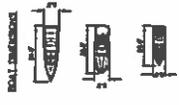
RC-112

ORIGINAL

WINTER STORAGE SUMMARY TABLE

BOAT NUMBER	BOAT TYPE	BOAT LENGTH	BOAT WIDTH	BOAT WEIGHT	BOAT VALUE
1	18'	6'	1500	1500	1500
2	18'	6'	1500	1500	1500
3	18'	6'	1500	1500	1500
4	18'	6'	1500	1500	1500
5	18'	6'	1500	1500	1500
6	18'	6'	1500	1500	1500
7	18'	6'	1500	1500	1500
8	18'	6'	1500	1500	1500
9	18'	6'	1500	1500	1500
10	18'	6'	1500	1500	1500
11	18'	6'	1500	1500	1500
12	18'	6'	1500	1500	1500
13	18'	6'	1500	1500	1500
14	18'	6'	1500	1500	1500
15	18'	6'	1500	1500	1500
16	18'	6'	1500	1500	1500
17	18'	6'	1500	1500	1500
18	18'	6'	1500	1500	1500
19	18'	6'	1500	1500	1500
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- NOTES:
- EXISTING FENCES AND GATES TO REMAIN.
 - NO NEW SITE LIGHTING, ELECTRICAL, SERVICE OR WATER SERVICE IS PROPOSED.
 - NO EQUIPMENT WILL BE STORED ON THE PROPERTY.
 - PROVIDE A 5' (MIN.) WALK BETWEEN BOAT ROWS.
 - PROVIDE A 5' (MIN.) ACCESS TO THE BOAT ROWS.



MAP REFERENCES:
 1. BOUNDARY AND PROPERTY LINES: SEE THE LATEST SURVEY BY: [Name], [Firm], [Address], [City], [State], [Zip].
 2. EXISTING UTILITIES: SEE THE LATEST SURVEY BY: [Name], [Firm], [Address], [City], [State], [Zip].
 3. EXISTING FENCES AND GATES: SEE THE LATEST SURVEY BY: [Name], [Firm], [Address], [City], [State], [Zip].
 4. EXISTING BOAT STORAGE: SEE THE LATEST SURVEY BY: [Name], [Firm], [Address], [City], [State], [Zip].

14 Acre Site

ORIGINAL

CS-101

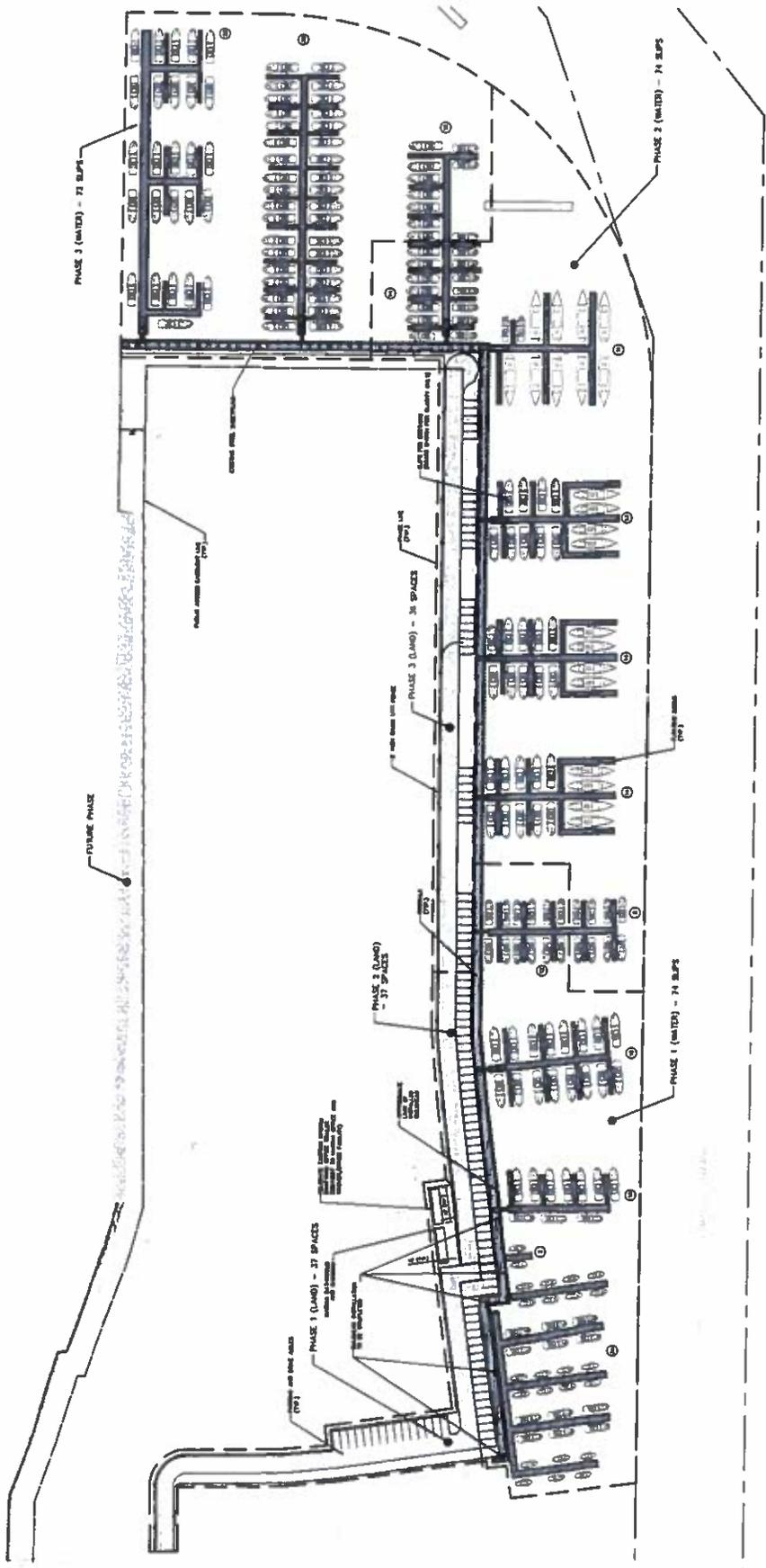
STAFFORD
CONTRACT

THE STRANDBERG GROUP LLC
DOCK RESTORATION PLAN
STATEMAN WAY

FUSS & O'NEILL
1800 WEST 10TH AVENUE
DENVER, CO 80202
TEL: 303.733.1100
WWW.FUSSANDONEILL.COM

NO.	DESCRIPTION	DATE
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3	ISSUED FOR PERMIT	03/10/10
4	ISSUED FOR PERMIT	04/10/10
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100	ISSUED FOR PERMIT	04/18/18

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 2. COMPLETE REINFORCEMENT INSTALLATION IN THE AREA OF THE EXISTING TRUSS, LIFT.
 3. INSTALL MARINA BARRIERS AND MARINA OFFICE INCLUDING UTILITY CONNECTIONS.
 4. INSTALL PILES, FLOATING DOCKS, GANGWAYS, WALKER DECKS, AND PARKING AREAS IN ACCORDANCE WITH THE PLANING DEPARTMENT OF THE PLAN.



REVISED

CS-101

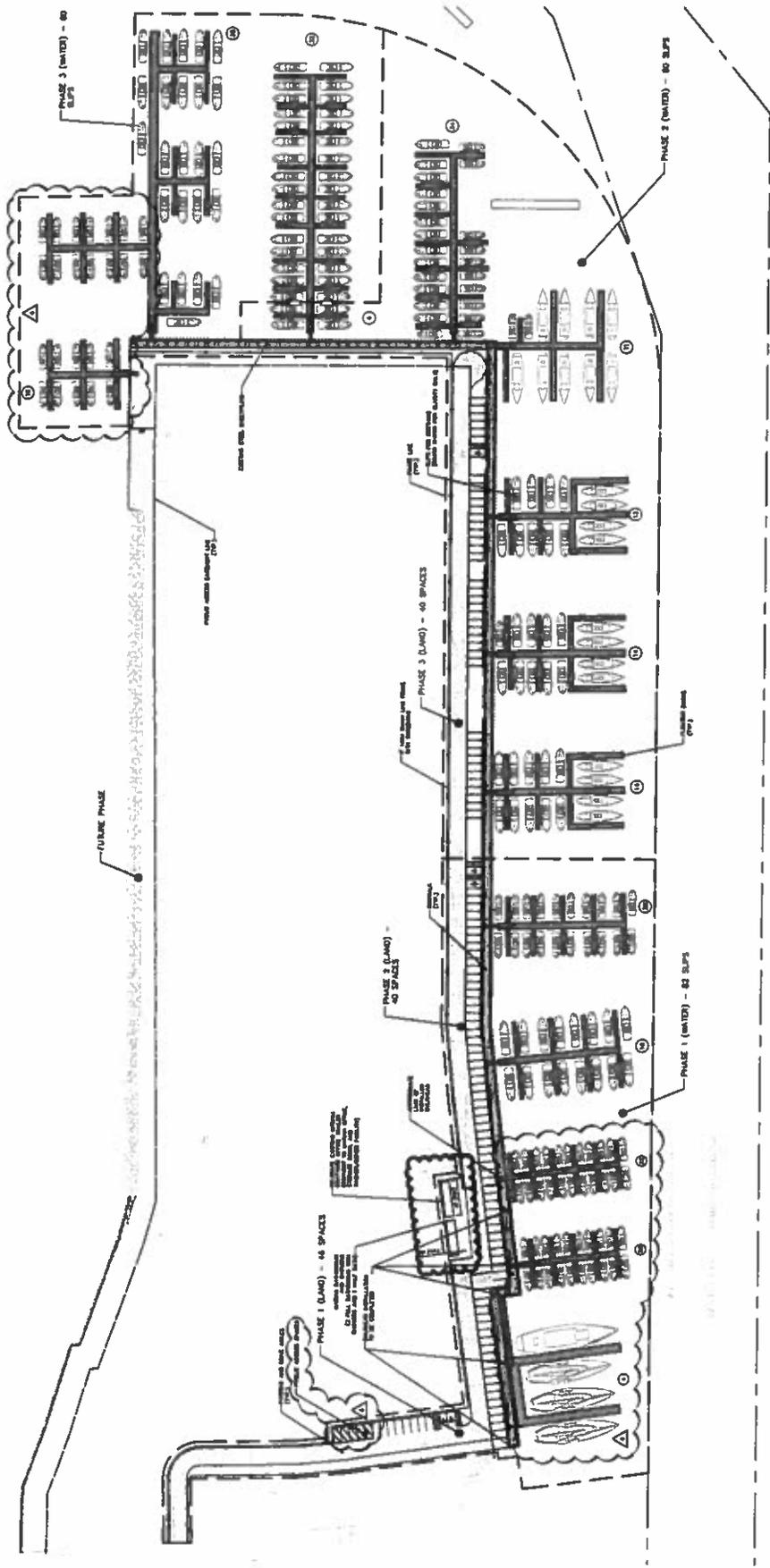
THE STRANDBERG GROUP, LLC
DOCK RESTORATION PLAN
BATEMAN WAY

FUSS & O'NEILL

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- CONSTRUCTION SEQUENCE:**
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 - COMPLETE BARBERG'S INSTALLATION IN THE AREA OF THE EXISTING BRACK, LIFT.
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 - INSTALL PIER, FLOATING DOCKS, GANGWAYS, WALKERS, DECKS, AND FUTURE AREAS IN ACCORDANCE WITH THE PLANING DEPICTED ON THIS PLAN.

- PHASE REVISIONS:**
- Added left room and boundary marker
 - Added large slip at Northwest
 - Added large slip at Southwest
 - Revised slip to 210 from 225
 - WIP used for future construction areas



NO.	DATE	DESCRIPTION
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Bermello Table 6.1 (July 10, 2015)
 Summary of Comparison of Proposal
 Proposal Updated 4/1/16

	YACHT HAVEN	PROPOSAL (revised 4/1/16)	PERCENT MET	NOTES
WET SLIPS	251	270	107%	Comparable
BOAT STORAGE (Summer)	400	409	102%	A large percentage of the YHW storage area during the summer was used for parking
BOAT STORAGE (Winter)	521 (see page 13)	540	104%	Both numbers include in-water winter storage.
MAINTENANCE BUILDING	26,000 sf	26,540 sf	102%	Outside maintenance area is shared with summer parking or storage
NAVIGATION	125 feet wide 0.5 mile long channel	275 feet wide basin; 0.7 mile long channel	220%	The navigation to both sites is comparable; there is more room to maneuver within the 275 foot basin at Davenport.
FUEL DOCK	Yes	Yes	100%	
FUEL TANKS	11,000 gallon combined	20,000 gallon combined	181%	
COVERED STORAGE	18 boats (see page 51)	52 boats	288%	
LIFTING CAPACITY (Travel Lift)	1-60 ton 1-35 ton	1-60 ton	100%	Note: Brewer had only one lift well in operation.
CRANE	1-30 ton	1-30 ton	100%	
FORKLIFTS	2	1	50%	Note: More efficient yard at Davenport - does not require 2 forklifts
SLIPWAY	2 - 60 feet	1 - 65 feet	108%	Note Brewer had one operating liftwell in 2007
PARKING (Summer)	200	215	107%	Includes 110 spaces at 14 acre, 100 at Davenport, and 5 at Magee
Parking (Winter)	40	135	330%	Includes 110 at 14 acre, 20 at Davenport, and 5 at Magee



April 19, 2016

Chairman Theresa Dell & Board Members
Stamford Planning Board
City of Stamford
888 Washington Blvd.
Stamford, CT 06901

Dear Chairman Dell and Board Members:

The purpose of this correspondence is to summarize the extensive revisions to the Applicants' development plans since these applications were before this Board in September 2015. In addition, the Applicants have responded to each of the original referral comments with updated information related to the rationale expressed for each of the Board's positions.

As the Board will recall, the subject applications involve three properties: 28 Southfield Avenue (Davenport Landing), 46, 62, 68 & 78 Southfield Avenue (Stamford Landing), 205 Magee Avenue (Magee) and the 14 acres at the foot of Bateman Way (The Strand). These combined sites will provide the City of Stamford and its residents with a full service boatyard run by Hinckley, a marina, upland boat storage, a new residential community, and a wide variety of neighborhood and community benefits, including extensive public walkways along Stamford Harbor, and infrastructure improvements.

In connection with the revisions detailed in the updated materials, applicant Southfield Property LLC submitted a new text amendment associated with the front yard setback for the residential component. This application, No. 216-03, was not previously considered by this Board and is addressed in connection with comments responsive to No. 215-04 below.

The Planning Board's initial referral comments are set forth below, with the Applicants' response to each in bold text following the respective comment.

ZB Appl. #215-02 - THE STRAND/BRC GROUP, LLC - Text Change: To Amend Article III, Section 9(J)(5)(b) by modifying non-residential floor area from .20 to .23 FAR in the SRD-S District.

[PB Recommendation: denial without prejudice]

The proposed amendment of SRD-S regulations would authorize an additional 78,290 square feet of commercial floor area within the Harbor Point development, but the applicant has not identified where this additional commercial development would be located and has not submitted General Development Plans showing the footprint, height and general design of new commercial

buildings. In the absence of a comprehensive General Development Plan for the 14 acre site, this text amendment application is premature and the Planning Board finds it inconsistent with the Stamford Master Plan and the orderly planning of the Harbor Point development, and recommends denial without prejudice by the Zoning Board.

RESPONSE:

The revised submission includes additional conditions responsive to the Zoning Board to address the eventual redevelopment of the Strand site. This application operates to transfer the building rights from Magee to Strand in light of the use of Magee as a new boat storage yard, thus the additional floor area will be located on the Strand site. The pending application to amend the Harbor Point GDP will allow this floor area to be located on the Strand site. Design criteria (height, setback, etc.) are set forth in the SRD-S Regulations and a final site plan must be approved by the Zoning Board before development. We believe this addresses the Planning Board's concern. Further, the Zoning Board has approved unassigned floor area in the past. (See APPL. #213-36 dated 7/8/2014.)

ZB Appl. #215-03 - THE STRAND/BRC GROUP, LLC, Amend GDP - Washington Blvd.:

Applicant is seeking approval of an amendment to the General Development Plan (GDP) for Harbor Point, consisting of three parts:

[PB Recommendation: denial]

1. Condition #7 of the GDP approval currently reads as follows:

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.

And is proposed to read as follows:

7. Subject to SRD regulations, any future final site plan application, for full development of the 14 acre site, shall include a marina and public access improvements which shall be subject to review and approval of the Zoning Board.

2. The labeling of the 14 acre site on the recorded GDP map currently reads, "Maintain Existing Boat Storage Operations". The proposed new labeling would read as follows: "Block P7 Permitted Uses: Office and Retail, Public Access, Marina, Parking".

3. The general site plan for the 14 acre site (P7) is proposed to be amended to reduce the boat slip count from 251 to 220, provide boat slip parking at a rate of 0.5 spaces/slip, install two trailers for bathrooms/showers, washers/dryers and marina office, and construct a public access boardwalk along the western and southern sides of the peninsula.

Removal of the requirement for a “*working boatyard and full service marina*” from GDP Condition #7 is only appropriate if the applicant’s plan to relocate the original boatyard/marina facilities and services to the three properties is determined to be consistent with the Stamford Master Plan. It is the opinion of the Planning Board that the replacement boatyard/marina proposal is inconsistent Stamford Master Plan because it will result in a significant reduction in the boatyard/marina services and capacities in excess of any change that may have occurred in the demand for boatyard/marina services. Findings of inconsistency with the 2015 Stamford Master Plan are further detailed in the Planning Board referral comment on Appl. 215-06 and Appl. 215-07 and are incorporated by reference. The Planning Board therefore recommends that the Zoning Board deny the proposed amendment of GDP Condition #7.

The Planning Board, for the same reasons, recommends that the Zoning Board deny the relabeling of the record GDP map for the 14 acre site (P7) proposed to read, “*Block P7 Permitted Uses: Office and Retail, Public Access, Marina, Parking*”. Redesignation of the 14 acre site “office/retail” use is inappropriate until an acceptable replacement boatyard/marina has been approved, and should only be considered and approved simultaneously with the approval of a comprehensive site plan to redevelop the 14 acre site.

Proposed amendments of the general site plan for the 14 acre site include public access around two-thirds of the peninsula, and to this extent are consistent with the Stamford Master Plan policies:

Policy 5C: “Encourage Public Access to the South End Waterfront”

- 5C.1: “Protect, enhance and promote water-dependent uses”
- 5C.2: “Protect water-dependent industry”
- 5C.3: “Encourages the development of a full-service boatyard and marina”
- 5C.5 “Promote recreation and boating”
- 5C.6: “Maintain and enhance harbor access”

Policy 7E: “Support an Active and Diverse Waterfront”

- 7E.1: “Establish and maintain diversity of viable water-dependent uses”

Policy 7F: “Maximize public access to the waterfront”

However, the proposed general site plan has several deficiencies as identified in the MarineTec report, dated October 1, 2015 and the Staff Report, dated October 5, 2015. The Planning Board finds the proposed general site plan amendments inconsistent with the Stamford Master Plan due to the following deficiencies:

- The original 251 boat slips should be restored

- Any marina phasing schedule should address when site remediation will be complete and the site graded and stabilized. Completion dates should be specified for each phase.
- Plans should include complete marina services and amenities to establish a destination for boaters.
- Continuous public access should be provided around the entire perimeter of the 14-acre parcel with public parking, seating, landscaping and lighting improvements and connections to Kosciuszko Park and the Harbor Point waterfront public access system.

RESPONSE:

The Condition 7 modification is appropriate when viewed in the context of the overall plan for full boatyard and storage services in Stamford Harbor as detailed below. As noted in the Bermello Report, for most of its history as a boatyard, the Strand site served primarily as winter storage. Rather than dedicating waterfront property to a boat storage use that is now commonly an upland use, the Applicant can redevelop the Strand site into a destination for a broader community than just those boaters renting a slip or storage space.

The Zoning Board requested that the Applicants return the slips along the eastern side of the peninsula. The current plan satisfies that request, bringing the total slip count at the Strand site to 242 slips as requested by the Zoning Board (for a combined 270 slips at Davenport and Strand). The revised plan also includes a bathroom, shower and laundry facilities on site. As a condition of approval, the Applicant has agreed with the Zoning Board's request to retain, improve and integrate those facilities into permanent structures as part of a final redevelopment plan for the site. In response to MarineteC's comments, prior work docks will be reconfigured into megadocks and the Applicant will investigate a Boating Infrastructure Grant to allow for further accommodation of large yachts.

The relocation of the boatyard services from the Strand site to Davenport Landing and Magee clearly does not result in any reduction in services within Stamford Harbor. The current plan incorporates key feedback from MarineteC, the Zoning Board, and members of the public. The Davenport Landing boatyard is now 4.3 acres (increased from 3.3 acres in the earlier plan) and will be improved with a building over 25,700 square feet to accommodate indoor boat storage, boat service, and marina amenities (increased from 22,100 square feet). That yard will be able to store a combined 206 boats for land-based winter storage. The proposal for Magee now includes storage for 234 boats, as well as electrical and water service. This collective combination of features certainly satisfies the demands of the Stamford boating community by incorporating revisions suggested by MarineteC, including the provision of several options for winter storage (indoor rack, on land, and in water), hauling and winterization, and a wide variety of repair and service options. Further details about the Davenport Landing and Magee operations and facilities are provided in response to comments on No. 215-06 below.

With respect to site remediation, DEEP has concluded that the remediation is being conducted appropriately. Remediation will be completed when a Remedial Action Plan (“RAP”) is adopted for the site, which will be prepared following final development plan approval by the Zoning Board.

Based upon the foregoing, the proposed re-designation of the Strand site from boatyard to include office/retail is entirely appropriate.

With respect to the public access at the Strand, a 30 foot wide access area will run the entire perimeter of the site. Additionally, the Applicants’ April 1, 2016 correspondence included proposed conditions of approval for items to be included in the final site plan application for the Strand site to satisfy this Board and the Zoning Board.

Proposed Condition: Subject to review and approval of the Zoning Board, in connection with the approval of a Final Site Plan for Block P7 (P7), the Zoning Board will require a major public destination be part of the proposal, in the form of public space, public access and related amenities along the waterfront.

Proposed Condition: Any final site plan application for redevelopment of P7 shall include a pedestrian connection to Kosciuszko Park, such as a pile supported boardwalk, located north of the boat slips. Final design shall be subject to review and approval by the Zoning Board.

ZB Appl. #215-04 - SOUTHFIELD PROPERTY, LLC - Text Change: To Amend Article III, Section 9AAAA DWD Designed Waterfront Development District standards regarding building height, building setback, retention of existing structures and exemption of water dependent uses from the calculation of building coverage, impervious area coverage, public access, preservation of views and landscaping.

[PB Recommendation: denial]

The Planning Board concurs with the Staff Report, dated October 5, 2015, recommending conditional approval of DWD amendments regarding building height, building setback and retention of existing structures, and finds these three amendments consistent with the Stamford Master Plan. In principal, the Planning Board supports the fourth amendment, an exemption of water-dependent uses from building coverage and ground coverage standards, when it will serve to promote the establishment or retention of bona fide water dependent uses, with adequate buffering and landscaping and compensatory measures to manage stormwater impacts. The Planning Board’s concern with this DWD amendment is that it is not used to maximize the proposed boatyard facility, but rather is used to build the full residential density allowed for the vacant Davenport Landing property (260 units) while compressing the boatyard on approximately 3+/- acres. The Planning Board recommends that this exemption have a defined maximum limit that is related to the amount of water-dependent use. For this reason, the

Planning Board finds Appl. 215-04 to be inconsistent with the Stamford Master Plan and recommends that the Zoning Board deny the application.

RESPONSE:

At the outset, the Board should understand that its conclusion about utilizing the full residential density at Davenport Landing was based upon a misunderstanding of the original proposal. The proposed residential community is not proposed solely on the existing Davenport Landing site; the southerly building is located on the current Stamford Landing property. Under this revised plan, Davenport Landing will feature one residential building with 114 residential units (less than half of the prior approval for 256 units) that will be integrated with the proposed Stamford Landing residential building of 104 residential units to create a cohesive community with shared parking and amenities. This significant reduction enabled the Applicant to expand the boatyard use to 4.3 acres.

With respect to the requested text changes, modified versions have been submitted to the Zoning Board and are included in the materials provided to this Board. Notably, the text amendments incorporate staff comments from Norman Cole as well as this Board's referral comment requesting a maximum exemption limit for water-dependent uses. The new application, No. 216-03, authorizes a front yard setback of not more than 25 feet for properties in the DWD Zone. The purpose of this text amendment is to ensure a pedestrian friendly experience along Southfield Avenue, while providing more area for water dependent uses.

ZB Appl. #215-05 - WATERFRONT OFFICE BUILDING, LP, Map Change: Applicant proposes to rezone from C-WD to DWD the 8.15 acres property known as Stamford Landing, located at 46, 62, 68 and 78 Southfield Avenue.

[PB Recommendation: approval]

The Planning Board concurs with the Staff Report recommending rezoning of Stamford Landing to DWD, Designed Waterfront Development District, and finds this application consistent with the Stamford Master Plan <insert policy references>. The Land Use Bureau Chief reports that DWD rezoning is logical and will allow the property to be consolidated with the adjoining Davenport Landing property into a single 13.85 acre property. Elimination of the property line will increase design flexibility in the placement of structures and organization of parking, with the opportunity to distribute traffic ingress and egress to two principal streets. Rezoning requires the simultaneous approval of a DWD General Development Plan and Special Exception approval of uses (see referral comments on Appl. 215-06)

RESPONSE:

The Applicant's acknowledge the Board's finding that the re-zoning is consistent with the Master Plan. Given the plan revisions, the Applicants believe the Board can support the GDP and special exceptions as well.

ZB Appl. #215-06 - SOUTHFIELD PROPERTY LLC and WATERFRONT OFFICE BUILDING, LP, 28, 46, 62, 68, and 78 Southfield Avenue - Special Exception and General Development Plans: Requesting approval of Special Exceptions and General Development Plan to construct 261 units of housing and a boatyard and marina facility with public access to the waterfront on the 13.4 acre Stamford/Davenport Landing site. Special Exceptions being requested for proposed uses and development of the project and to establish a DWD district and to provide residential, retail and office and a boatyard/marina use and general public access.

[PB Recommendation: denial]

The applicant proposes to construct a 3+/- acre boatyard/marina/boat storage facility coupled with 261 units of housing at the Davenport/Stamford Landing site. The 2.9 acre boatyard coupled with marina facilities at the 14 acre (P7) site and a boat storage facility at 205 Magee Avenue represent the applicant's proposal to replace the boatyard/marina that formerly occupied the 14 acre (P7) site in the Harbor Point development. The Planning Board has considered the Market Study and Needs Analysis submitted by the applicant and the independent peer review report performed jointly by Bermello Ajamil and MarineTec. As summarized in the staff report, the replacement boatyard/marina capacities are reduced compared to the former Yacht Haven West boatyard: wet slips reduced 12%; winter boat storage reduced 25%; maintenance building reduced 15%; covered storage (29,000 sq. ft.) eliminated entirely; and travel lift pits reduced from two to one. A recent revision in the floor plan for the maintenance building allocates approximately 6,000 sq. ft. to a rack storage system, reducing the floor area available for maintenance to 16,100 sq. ft., or 38% less than the former boatyard. The capacity for boat storage at 205 Magee has been further reduced by changing the plan to a "self-park" facility where boat owners park their boats on their own trailers without assistance, reducing the number of boats that can be stored. MarineTec has pointed out that the 205 Magee facility needs further support to power wash and shrink wrap boats, and fencing, lighting and security staff. MarineTec has also observed that one lift well at the boatyard is not sufficient to service the Davenport yard and also haul and trailer boats to 205 Magee. MarineTec has also argued that the efficiency of the 2.88 acre boatyard layout is compromised by a driveway and public access walkway that split the site into three separate parts. The Planning Board has raised additional questions about the boatyard design including the capacity of the fuel dock to service larger boats while other boats wait their turn to receive fuel, the dredge depth of -8 feet limiting

maneuvering of larger boats, and the assumption that the market demand at Stamford Harbor is principally for smaller boats and that the large boats that berthed at Yacht Haven West are unlikely to return.

In summary, the Planning Board concludes that the three separate facilities, taken as a whole, due to their size, design and operation, are not adequate to replace the boatyard/marina/storage yard removed from the 14 acre site. The Planning Board finds Appl. 215-06 inconsistent with the 2015 Stamford Master Plan, particularly with respect to the following policies:

Policy 5C: “Encourage Public Access to the South End Waterfront”

- 5C.1: “Protect, enhance and promote water-dependent uses”
- 5C.2: “Protect water-dependent industry”
- 5C.3: “Encourages the development of a full-service boatyard and marina”
- 5C.5 “Promote recreation and boating”
- 5C.6: “Maintain and enhance harbor access”

Policy 7E: “Support an Active and Diverse Waterfront”

- 7E.1: “Establish and maintain diversity of viable water-dependent uses”

Policy 7F: “Maximize public access to the waterfront”

RESPONSE:

First, the Applicants’ proposal clearly achieves the goals of public access to the South End waterfront and supporting an active and diverse waterfront in ways not previously provided during the Yacht Haven tenure. An entirely new water-dependent use – meaningful public access around the perimeter of the Strand site and public access along the Davenport Landing site – will be created as part of the overall plan, thereby extending and improving the public’s ability to access Stamford’s waterfront without requiring boat ownership.

The revised plans as submitted by the Applicants, which incorporate the comments previously submitted by Marinetec, demonstrate that the needs of the Stamford boating community will be fully satisfied by the Applicants’ proposal. The obligation under the Zoning Regulations and CAM Act is not to “replace” the prior services, but to provide an appropriate level of service. As noted in the updated report prepared by Integra Realty dated January 11, 2016 (included in the materials provided to the Board), both Integra and Marinetec agree that the Stamford boating market has changed since the adoption of Condition 7 in 2007. The overall plan creates 270 wet slips at Davenport Landing and the Strand site as well as land based storage for 409 boats, both of which exceed the capacity of the prior Yacht Haven yard.

The capabilities of each of the sites are as follows:

Davenport Landing: This full-service yard, to be operated by Hinckley Yachts, includes a 60 ton travel lift (with an expanded 24 foot lift well), a 30 ton mast crane, fuel dock, and a wide variety of repair services offered by a year-round work force, including inboard and outboard engine repair, electronic sales/service, marine refrigeration/air conditioning, painting, hauling, and other related services. Davenport Landing will provide winter storage for 206 boats on land (52 indoor rack storage and 154 outdoor storage) and 100 boats in water, with room for indoor expansion if necessary. The site has been reconfigured to eliminate the road/driveway through the site, maintain the public access walkway, and expand the building size, all of which satisfy the issues raised by this Board and in the MarineteC report. The Applicant's staging plan (included in the submission materials; Sheets CS 121 & 123) demonstrates that there is more than sufficient space for boats to queue for fueling or for winter hauling without causing any interference with other boats in the channel.

Magee: The plan for Magee now incorporates the MarineteC recommendations. The site will also be operated by Hinckley as an extension of the Davenport Landing yard. It will feature storage for 234 boats up to 35 feet, an on-site hydraulic trailer, facilities to power wash and shrink wrap boats, a maintenance building, and a bathroom/office building. The entire site will be secured with fencing, lighting and security cameras. The Applicant has agreed to improvements to the West Beach boat ramp to increase its width to 30 feet and provide dredging.

The Strand: As noted above, the Applicant revised the proposal to include restoration of slips along the eastern and southern sides of the peninsula, raising the total slip count to 242 slips. The Applicant has also agreed to repair the existing wave attenuators to ensure use of these slips. In response to MarineteC's comments, prior work docks will be reconfigured into mega docks and the Applicant will investigate a Boating Infrastructure Grant to allow for further accommodation of large yachts.

Finally, as noted above, the residential component of the Stamford Landing/Davenport Landing proposal has been reduced to 218 units and setback 25 feet from Southfield Avenue. These changes allow for a 4.3 acre boatyard site that accommodates increased boat storage and a larger service building.

ZB App. #215-07 - SOUTHFIELD PROPERTY LLC and WATERFRONT OFFICE BUILDING, LP, 28, 46, 62, 68, and 78 Southfield Avenue - Final Site & Architectural Plans and Coastal Site Plan Review: Requesting approval of Final Site & Architectural Plans and Coastal Site Plan Review to construct 261 units of housing and a full service boatyard and

marina with public access to the waterfront and water-dependent uses on approximately 13.4 acres on Southfield Avenue in a DW-D zone.

[PB Recommendation: denial]

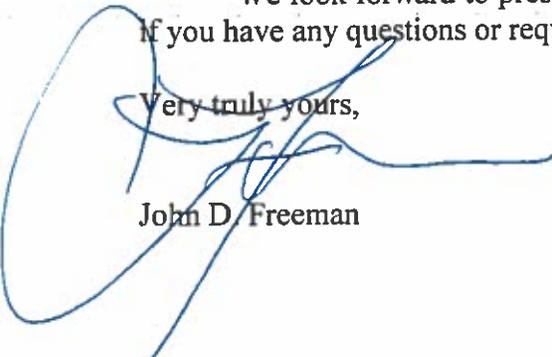
The application for approval of final site and architectural plans (#213-07) includes special exceptions and is therefore subject to referral to the Planning Board. The Planning Board incorporates by reference the findings and comments made for Appl. 215-06, finding the application inconsistent with the 2015 Stamford Master Plan, and recommending denial by the Zoning Board.

RESPONSE:

For the reasons noted above, the Applicants submit that the revised proposal satisfies the criteria set forth in the Master Plan. Boaters' needs will be well served by the offerings at the three different sites. Hinckley, as a long-established first class company, will offer a full-service boatyard at Davenport Landing and Magee. With respect to Stamford and Davenport Landing specifically, this revised plan enhances the existing Stamford Landing office/restaurant uses by adding complementary residential and boatyard uses and will bring additional residents and clientele to Stamford's waterfront.

We look forward to presenting this Application to the Planning Board. Please contact me if you have any questions or require any additional information.

Very truly yours,



John D. Freeman

Presentation PB 4/19/16

Our last presentation to the planning board was last September/October 2015. We received your referral comments, participated in several public hearings during which we received comments from the public, city's consultants, professional staff and Zoning Board.

We have revised the plans in response to these comments and specifically we are here to present the revisions we have made that we believe address the concerns this board raised on referral.

We appreciate your agreeing to take the time to allow us to present these modifications.

We now have 8 applications pending (listed in the referral) for 3 separate properties all related to providing a vibrant waterfront for Stamford that includes a full service boatyard, marina, public access, housing and boat storage.

We are asking that the Planning Board reconsider its prior recommendations to the Zoning Board

Discuss by property

1. Davenport
2. 205 Magee
3. 14 acre site – the Strand

Present the changes and then discuss how we believe the changes respond to the referral comments provided by the Board in October of 2015

Davenport Site:

Modifications to the Davenport site include:

- Removal of the roadway and public access within the site, allowing additional boats to be stored upland. On land winter storage was 154 boats. Hinckley can now store 206 boats on land, including large sail boats over 60 feet. [Note that there is not a single boat registered in Stamford over 60 feet, according to records provided by the State of Connecticut.]
- Increased the size of the boatyard land area from 3.3 acres to 4.34 acres by relocating the residential building and reducing the residential units from 261 to 218 units (43 units). The area dedicated to boatyard and boat storage is now 4.34 acres. A residential building has been designed, on approximately 1.2 acres of the site, to line Southfield Avenue with attractive housing. Note the prior approval for Davenport Landing allowed for 256 units onsite. We have eliminated 142 of the 256 approved units to make room for additional boat storage.
- The Boatyard area is fenced for security. Access to parking is restricted, with access for marina parking available by card key. Pedestrian access for boaters from the marina parking area to Stamford Landing slips is provided.

- The size of the Boatyard building has been increased from 22,100 square feet to 25,740 square feet.
- Included in the Hinckley lease the control of additional slips to facilitate seasonal launching/hauling of boats. (See attached plan showing the location of the additional slips to be leased to Hinckley (CS-123)).
- Public access will be provided along the waterfront on the Davenport property. The plans have been revised to include this public access.
- Setback the fence fifteen (15) feet from the Selleck Street right of way and provide a landscaped buffer along the public sidewalk (0.07 acres).
- Increased the width of the travel lift to twenty-four (24) feet. Now the lift is 65' x 24'. YHW was 60' x 21'

14-Acre Site:

- Structures have been added at the Strand Marina to provide boating amenities, including office, storage, restrooms, and showers as consistent with the comments of the Zoning Board's Consultant, Marinotec. These are proposed as temporary with permanent structures included in the FSP.
- Added slips to the marina layout on the east side of the peninsula where Yacht Haven West formerly maintained boat slips. The plans have been revised to add slips. The total slip count is now 242 slips, which complies with the Zoning Board's request.
- The former Yacht haven West (YHW) work docks in the northwest corner of the marina to be reconfigured as standard boat slips with finger piers.
- Installation of southerly boat slips (Phase III) to include repair of the wave attenuators as needed.
- GDP amendment to require, at the time of redevelopment of the 14 acre site, that a major public destination be a part of the plan, in addition to the waterfront walkway around the perimeter of the site.

Subject to review and approval of the Zoning Board, in connection with the approval of a Final Site Plan for Block P7 (P7), the Zoning Board will require a major public destination be part of the proposal, in the form of public space, public access and related amenities along the waterfront.

- GDP amendment to require, at the time of redevelopment of the 14 acre site, the public access walkway extend along the eastern side of peninsula to connect back to Harbor

Point walkway and to include a pile supported boardwalk connection to Kosciuszko Park north of boat slips.

- ***Proposed Condition: Any final site plan application for redevelopment of P7 shall include a pedestrian connection to Kosciuszko Park, such as a pile supported boardwalk, located north of the boat slips. Final design shall be subject to review and approval by the Zoning Board.***
- Establish dedicated public access parking and incorporate into any subsequent redevelopment of the 14 acre site.
- Temporary marina support facilities shall be retained and improved and integrated into any redevelopment of the 14 acre site.
- Remediation area to be fenced and screened from view.
- We will work with Ponus to complete the land swap with Ponus Yacht Club.

205 Magee Site:

- The proposal at 205 Magee has been amended so that the storage yard is now an additional facility serving boaters by providing facilities for boat repair and maintenance.
- The plan includes the addition of two structures, including an 800 s.f. maintenance building per the Zoning Board's request and a structure housing office, storage and restrooms.
- An area has been designated for storage of waste disposal.
- Lighting and cameras have been added for security. The existing fence will remain.
- Utilities will be provided for the benefit of boaters, including water, electric and sewer.
- Applicant will improve the capacity of the West Beach ramp, by dredging and increasing the width to 30 feet, redirecting stormwater and repairing the displaced concrete panels on the ramp. We are coordinating this scope with the City of Stamford Engineering Department.
- Will provide an on-site hydraulic trailer to haul/launch boats and place on cradles/poppets.
- Plan now provides facilities to power wash boats and shrink wrap service.
- Hinckley has agreed to enter into a Long term lease to operate 205 Magee facility

RESPONSE TO REFERRAL COMMENTS DATED OCTOBER 22, 2015

1. APPL. 215-02 – The Strand/BRC Group LLC – Text Change to the SRD-S Regulations

COMMENT: Identify where the additional commercial development will be located.

RESPONSE: Subject to Zoning Board approval, the additional commercial development will be located on the 14 acre site and incorporated into a final site plan application. The Zoning Board has allowed for FAR to exist without being allocated to a specific site. The SRD-S zoning regulations provide requirements for height, FAR and setbacks.

2. APPL. 215-03 –GDP Amendment to Condition 7 (14 Acre Site)

A. COMMENT: Restore the original 251 boat slips.

RESPONSE: The applicant has restored 242 slips plus 28 slips at Davenport for 270 slips, which exceeds prior supply.

B. COMMENT: Any marina phasing schedule should address the remediation schedule.

RESPONSE: Remediation will be completed when a Remedial Action Plan is adopted for the site. A RAP will be prepared based on a development plan approved by the Zoning Board. The DEEP has concluded that the remediation is being conducted appropriately. When a FSP is approved, the Applicant will be able to prepare the RAP and move forward with remediation. As part of the marina phasing schedule, the area will be stabilized, secured and screened from view.

C. COMMENT: The plan should include complete marine services and amenities.

RESPONSE: The marina proposal has been revised to address these concerns. Note amenities are offered on an interim basis – bathroom, showers, laundry. As part of a proposed FSP, and as a condition of approval of the pending application, permanent structures and amenities will be developed to serve the marina.

D. COMMENT: Continuous public access should be provided.

RESPONSE: Agreed and included on the plans.

3. APPL. 215-04 – Davenport Text Change to the DWD Regulations

COMMENT: Recommend denial suggested a reduction in housing units.

RESPONSE: Concern has been addressed – we have reduced the housing footprint and the number of units from 261 to 218. The size of the boatyard land area has increased from 3.3 acres to 4.34 acres. The area dedicated to boatyard and boat storage is now 4.34 acres. A residential building has been designed, on 1.2 acres of the site, to line Southfield Avenue with attractive housing. Note the prior approval for Davenport Landing allowed for 256 units onsite. We have eliminated 142 of the 256 approved units to make room for additional boat storage.

4. APPL. 215-05 – DWD Map Change

COMMENT: Recommend approval.

RESPONSE: Agreed.

5. APPL. 215-06 – Special Exception Davenport

- A. COMMENT: Size of facility too small at 3+/- acres.
RESPONSE: Boatyard acreage has been increased to 4.34 acres.
- B. COMMENT: Too much housing with 261 units.
RESPONSE: Housing has been reduced from 261 units to 218 units with only 114 units on Davenport Landing. The size of the boatyard land area has increased from 3.3 acres to 4.34 acres by relocating the residential building and reducing the residential units from 157 to 114 units. The area dedicated to boatyard and boat storage is now 4.34 acres. A residential building has been designed, on 1.2 acres of the site, to line Southfield Avenue with attractive housing. Note the prior approval for Davenport Landing allowed for 256 units onsite. We have eliminated 142 of the 256 approved units to make room for additional boat storage.
- C. COMMENT: Operations have been reduced when compared to the former Yacht Haven West Boatyard.
RESPONSE: The plans have been revised to respond to this comment. Services and facilities have been added and enhanced to meet or exceed prior facilities.
- D. COMMENT: Wet slips reduced 12%.
RESPONSE: Wet slips have been added to the plans. There will now be 270 slips provided between Davenport and the 14 acre site. This exceeds the prior number of slips provided.
- E. COMMENT: Winter boat storage reduced 25%.
RESPONSE: Winter boat storage has been increased to 442 boats on land. Exceeds the number of boats (412) documented in the Bermello report (see page 13).
- F. COMMENT: Maintenance building reduced 15%.
RESPONSE: The maintenance building has been increased from 22,100 s.f. to 25,740 s.f. In addition, two buildings are provided at 205 Magee and two buildings are provided at the 14 acre site to provide storage, bathrooms, office and amenities.
- G. COMMENT: Covered storage eliminated entirely.
RESPONSE: Plans modified to provide for indoor storage of 52 boats. This exceeds the capacity at YHW. (See page 51 of the Bermello report – documented 18 boats stored inside.)
- H. COMMENT: Travel lifts reduced from two to one.
RESPONSE: The proposed travel lift is larger than what was previously provided by BYHW. Also, the BYHW site only operated with one liftwell. The second liftwell was condemned.
- I. COMMENT: On land storage at 205 Magee is limited by self-park facility.
RESPONSE: Hinckley will operate the 205 Magee yard. They will use a hydraulic trailer to store boats, thereby maximizing storage capacity.

- J. **COMMENT:** 205 Magee needs support to power wash and shrink wrap boats and fencing and security staff.
RESPONSE: These services and features have been added to the plans.
- K. **COMMENT:** One lift well is not sufficient to service Davenport and trailer boats to 205 Magee.
RESPONSE: Hinckley will operate both yards and can manage the process with one liftwell and a hydraulic trailer, forklift, etc.
- L. **COMMENT:** 3 acre boatyard is compromised because of the driveway and public access.
RESPONSE: The driveway and public access have been removed from the plans. Note that at the request of the Zoning Board, a portion of the public access was added back.
- M. **COMMENT:** Planning Board questioned the capacity of the fuel dock.
RESPONSE: The fuel dock can service boats over 70'. Also, there is staging for five boats while two boats are being fueled.
- N. **COMMENT:** Planning Board questioned dredge depth of -8'.
RESPONSE: This is the appropriate dredge depth and is approved by the DEEP. -8' MLW will accommodate the boats in the Harbor. BYHE is currently dredging to -6, -8 and -12' MLW.
- O. **COMMENT:** Planning Board questioned assumption that market demand is for smaller boats.
RESPONSE: The market is predominantly boats under 35'. This has been demonstrated by the applicant through record reviews, interviews, onsite observations and surveys conducted using aerial photography.

6. APPL. 215-07 – FSP and CAM

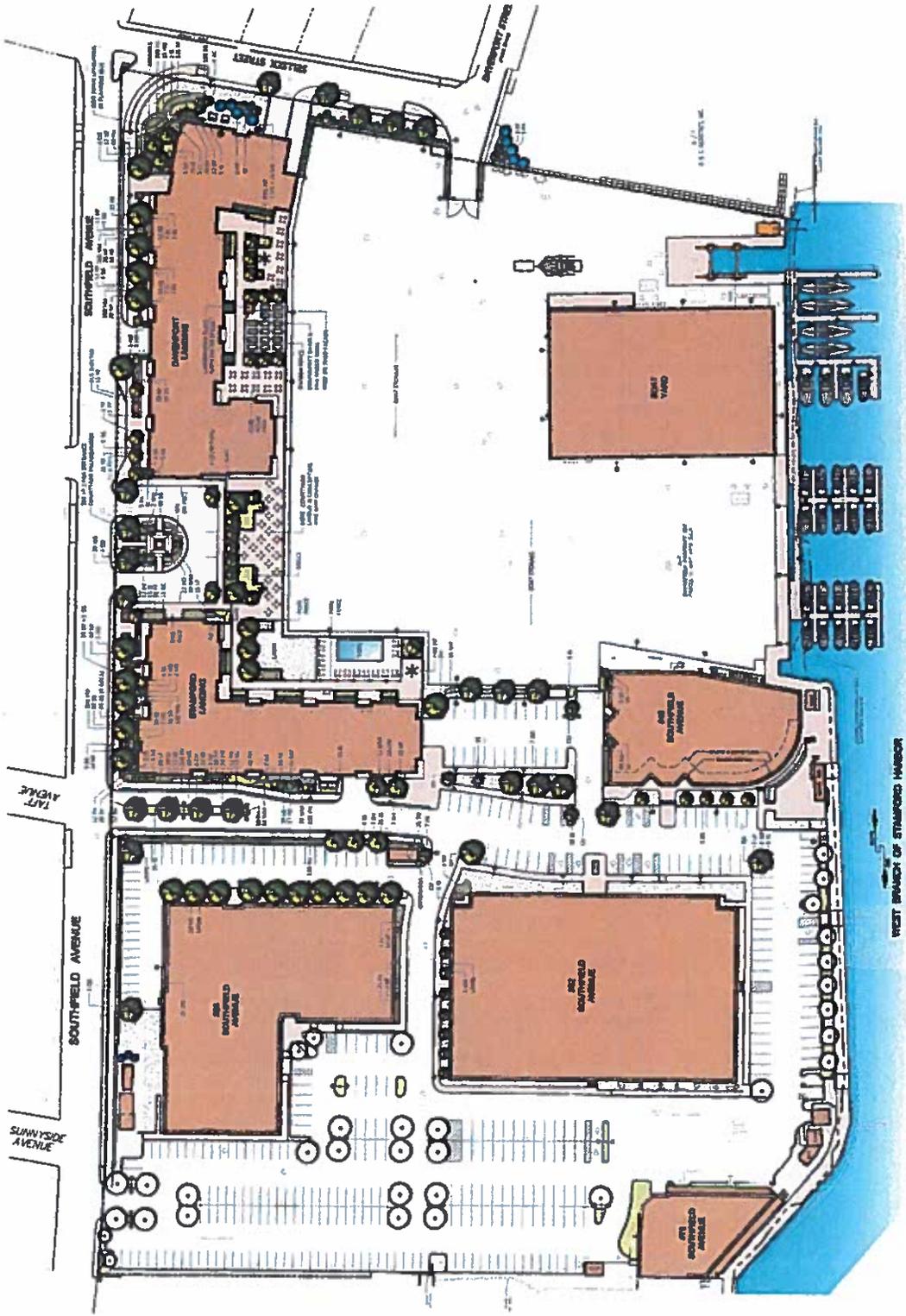
- See 215-06.

7. APPL. 216-03 – Setback

- New Application. Consistent with Master Plan.
- Provides more boatyard area.
- Uniform street frontage.
- Allows town house style development, with access to the street.
- Landscaping and pedestrian friendly.

Bermello Table 6.1 (July 10, 2015)
Summary of Comparison of Proposal
Proposal Updated 4/1/16

	YACHT HAVEN	PROPOSAL (revised 4/1/16)	PERCENT MET	NOTES
WET SLIPS	251	270	107%	
BOAT STORAGE (Summer)	400	409	102%	A large percentage of the YHW storage area during the summer was used for parking
BOAT STORAGE (Winter)	521 (see page 13)	540	104%	Both numbers include in-water winter storage
MAINTENANCE BUILDING	26,000 sf	26,540 sf	102%	Outside maintenance area is shared with summer parking or storage. 800 s.f. of 205 Magee
NAVIGATION	125 feet wide 0.5 mile long channel	275 feet wide basin; 0.7 mile long channel	220%	The navigation to both sites is comparable; there is more room to maneuver within the 275 foot basin at Davenport
FUEL DOCK	Yes	Yes	100%	
FUEL TANKS	11,000 gallon combined	20,000 gallon combined	181%	
COVERED STORAGE	18 boats (see page 51)	52 boats	288%	
LIFTING CAPACITY (Travel Lift)	1-60 ton 1-35 ton	1-60 ton	100%	Note: Brewer had only one lift well in operation.
CRANE	1-30 ton	1-30 ton	100%	
FORKLIFTS	2	1	50%	Note: More efficient yard at Davenport - does not require 2 forklifts
SLIPWAY	2 – 60 feet	1 – 65 feet	108%	Note Brewer had one operating liftwell in 2007
PARKING (Summer)	200	215	107%	Includes 110 spaces at 14 acre, 100 at Davenport, and 5 at Magee
Parking (Winter)	40	135	330%	Includes 110 at 14 acre, 20 at Davenport, and 5 at Magee



REVISED PROPOSAL

NEW SITE PLAN / 19 April 2016

ARROW STREET STAMFORD LANDING & DAVENPORT LANDING





ARROW STREET STAMFORD LANDING & DAVENPORT LANDING

REVISED PROPOSAL

REVISED AERIAL VIEW / 19 April 2016



EXISTING CONDITIONS



PROPOSED DESIGN



ARROW STREET STAMFORD LANDING & DAVENPORT LANDING

REVISED PROPOSAL

VIEW FROM TAFF / 19 April 2016



REVISED PROPOSAL

VIEW FROM SOUTH / 19 April 2016



ARROW STREET STAMFORD LANDING & DAVENPORT LANDING

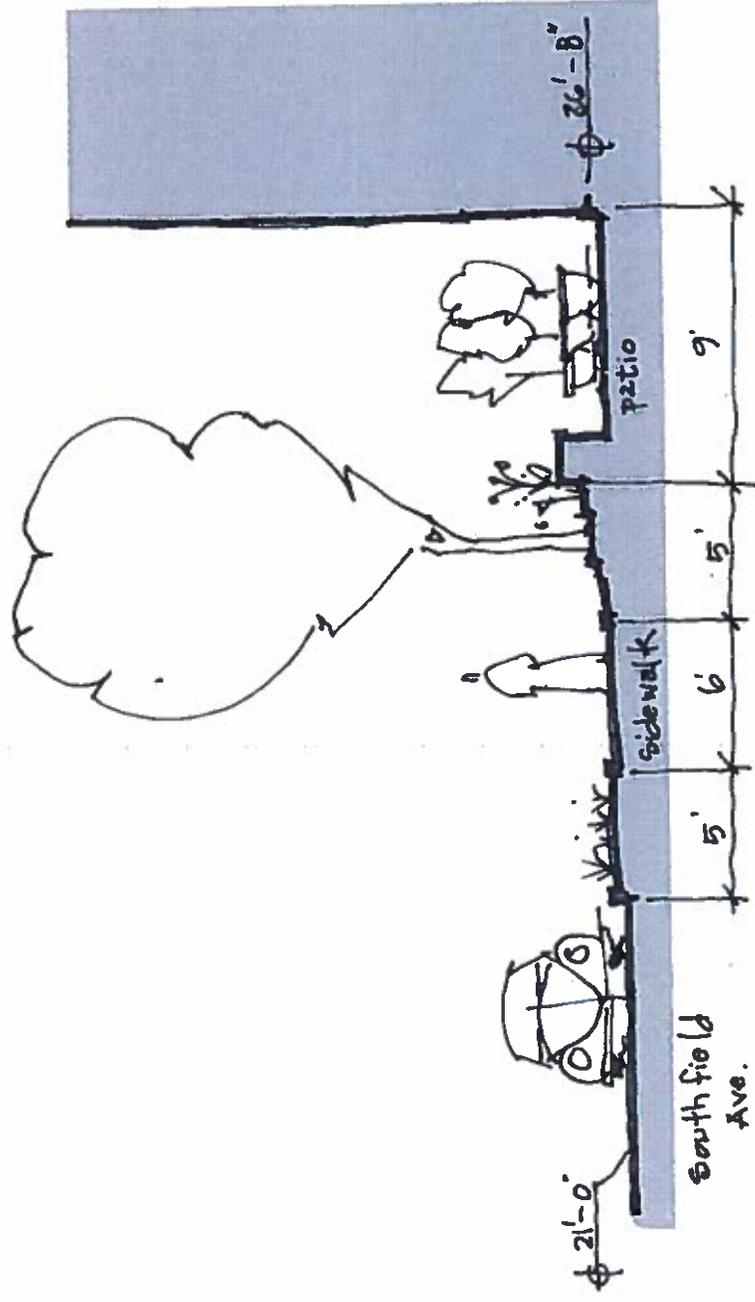


REVISED PROPOSAL

VIEW FROM NORTH / 19 April 2016

ARROW STREET STAMFORD LANDING & DAVENPORT LANDING





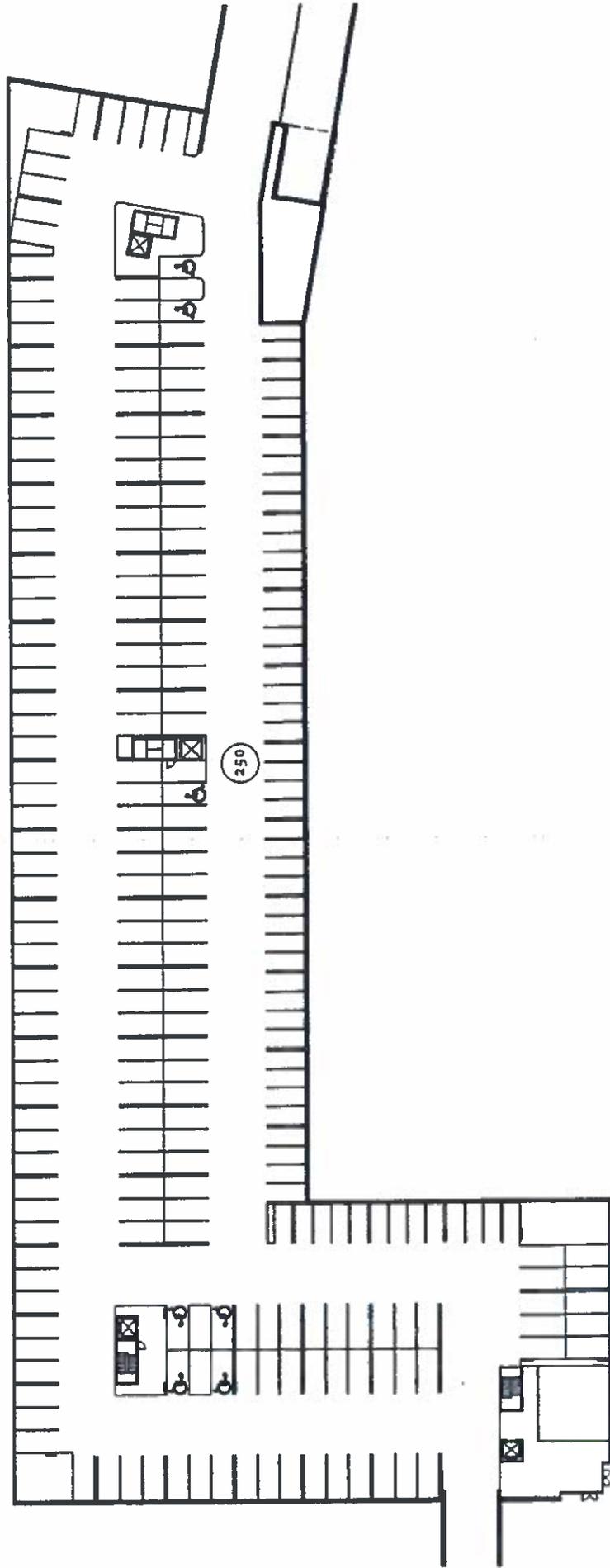
SECTION THROUGH SOUTHFIELD AVENUE - STAMFORD LANDING

REVISED PROPOSAL

SOUTHFIELD AVENUE - SECTION THROUGH TYPICAL UNIT PATIO / 19 April 2016

ARROWSTREET STAMFORD LANDING & DAVENPORT LANDING





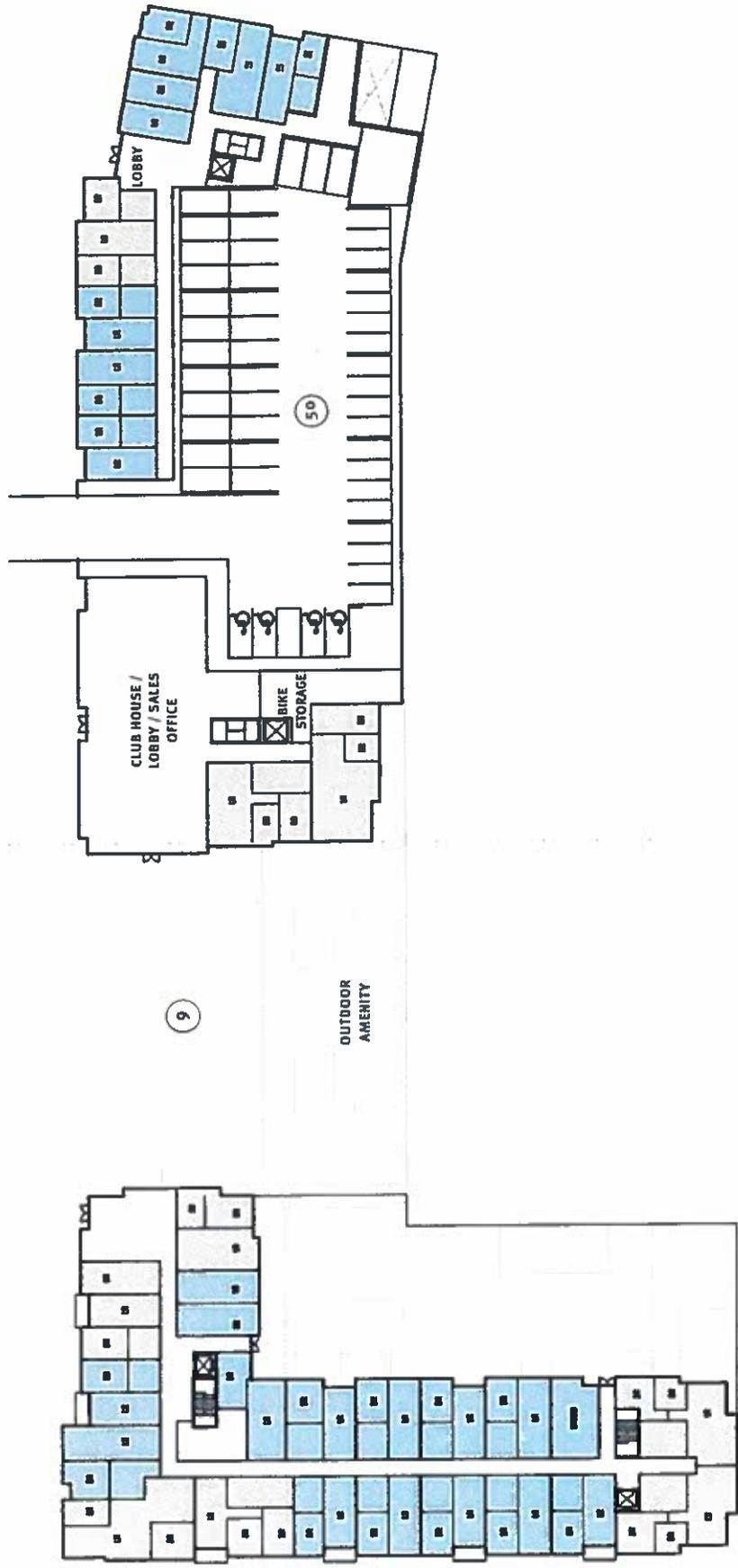
STANDARD PARKING: 9'-0" X 18'-0"
 COMPACT PARKING: 8'-0" X 16'-0"
 STANDARD DRIVING AISLE: 24'-0"

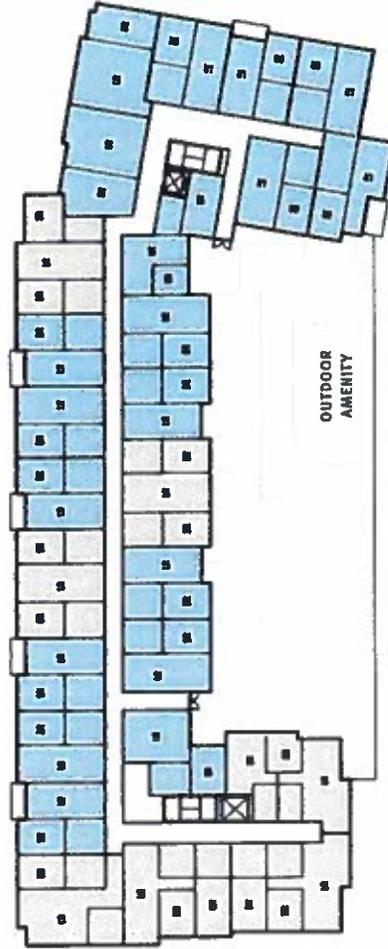
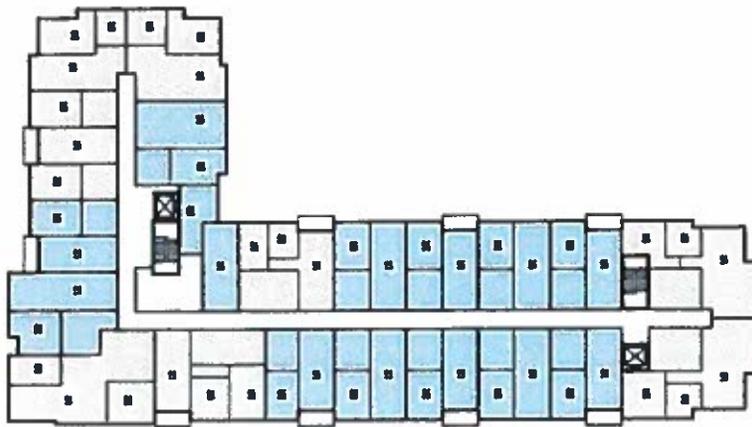
REVISED PROPOSAL

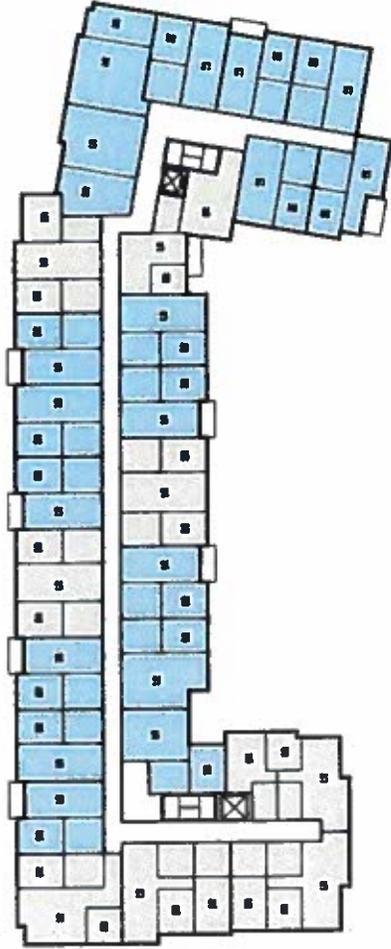
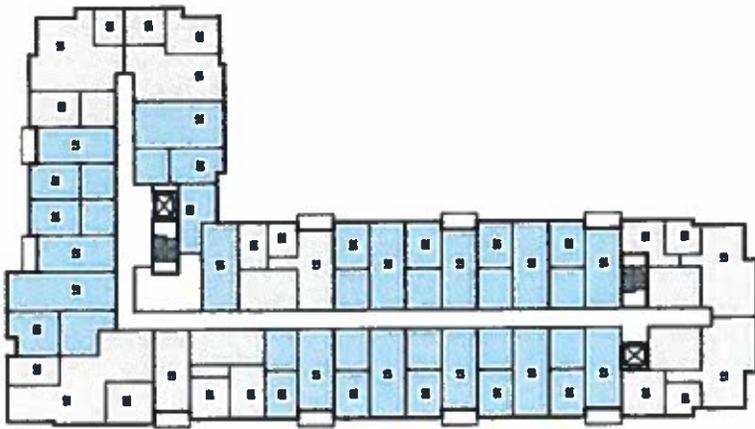
LOWER PARKING PLAN / 19 April 2016

ARROW STREET STAMFORD LANDING & DAVENPORT LANDING









ARROW STREET STAMFORD LANDING & DAVENPORT LANDING

REVISED PROPOSAL

TYPICAL UPPER LEVEL PLAN / 19 April 2016



2'-6" STEP BACK
 1'-6" STEP BACK
 1" STEP BACK
 1'-9" STEP BACK
 1'-3" STEP BACK
 2'-4" STEP BACK
 2'-6" STEP BACK
 6" STEP BACK
 3'-0" STEP BACK

EIFS STUCCO COLOR 1

EIFS STUCCO COLOR 2

EIFS STUCCO COLOR 3

11' STEP BACK
 3' STEP BACK
 36' WIDE BAY
 12' WIDE RECESS
 5' X 12' BALCONY (TYP.)
 FACE OF BALCONIES
 ALIGN
 77x6' VINYL, SINGLE-
 HUNG WINDOW (TYP.)
 4' X 6' VINYL, SINGLE-
 HUNG WINDOW (TYP.)

GARAGE ENTRY

DAVENPORT LANDING

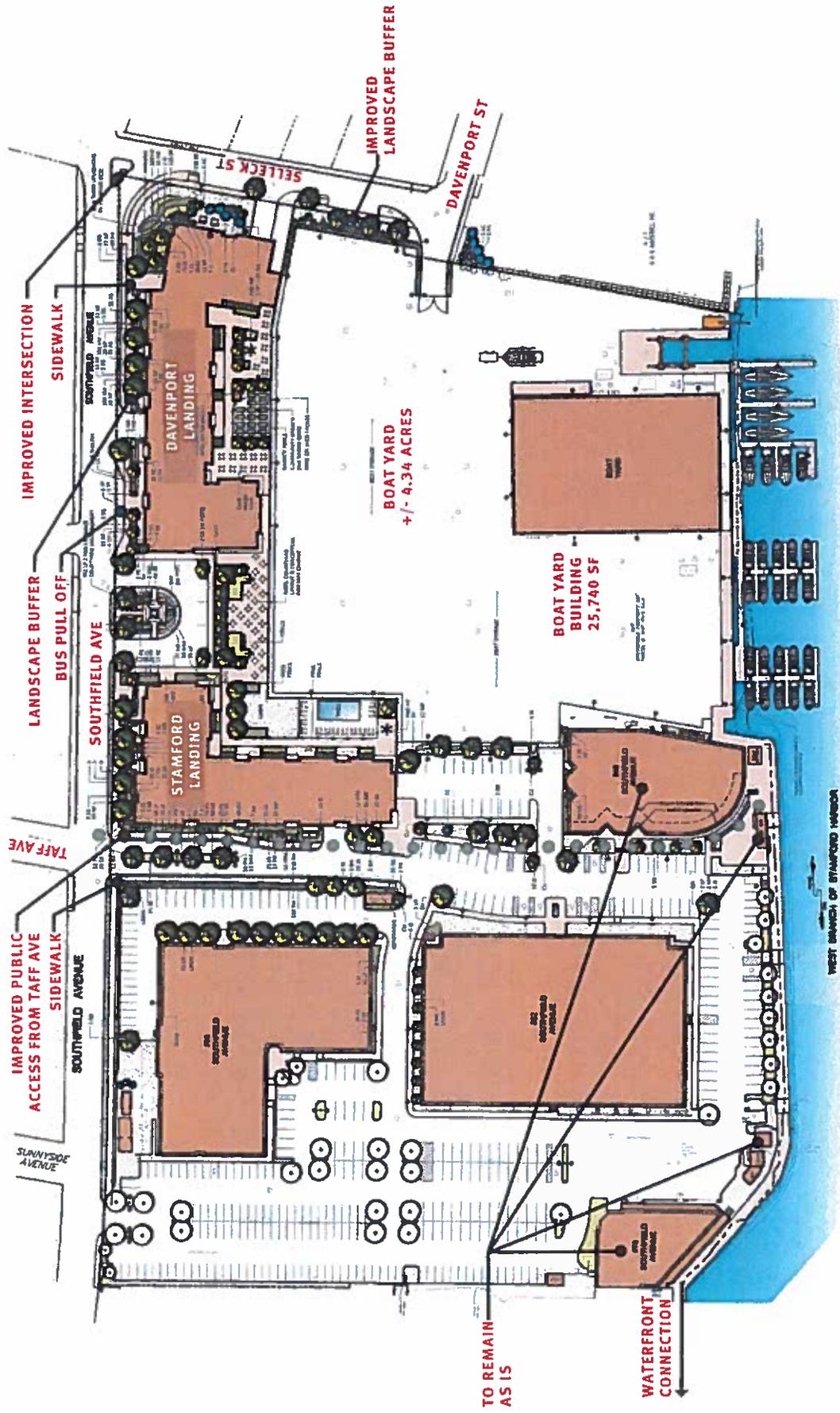
BRICK RETAINING WALL
 AT CORNER



ARROW STREET STAMFORD LANDING & DAVENPORT LANDING

REVISED PROPOSAL

PROPOSED DESIGN WITH MATERIALS / 19 April 2016



REVISED PROPOSAL

NEW SITE PLAN - ANNOTATIONS / 19 April 2016

ARROW STREET STAMFORD LANDING & DAVENPORT LANDING



TO REMAIN AS IS

WATERFRONT CONNECTION

BOAT YARD +/- 4.34 ACRES

BOAT YARD BUILDING 25,740 SF

IMPROVED INTERSECTION SIDEWALK

LANDSCAPE BUFFER BUS PULL OFF

IMPROVED PUBLIC ACCESS FROM TAFF AVE SIDEWALK

IMPROVED LANDSCAPE BUFFER

WEST BRANCH OF STAMFORD HARBOR

UPDATED NARRATIVE OF COMPLIANCE WITH STAMFORD MASTER PLAN
APRIL 19, 2016

The purpose of this memorandum is to update and supplement the Applicants' October 14, 2015 Narrative memorandum ("Narrative") outlining how the pending applications comply with the City's 2015-2015 Master Plan ("Master Plan"). The Master Plan emphasizes public access to and use of Stamford's waterfront for residents and visitors alike, while also ensuring the opportunity for water-dependent uses. It also establishes various policy goals for Stamford's neighborhoods, which are addressed as relevant below.

As the Board will recall, the pending applications include several text amendments to the Designed Waterfront Development (DW-D) regulations, a zone change for the Stamford Landing site to DW-D, amendments to the Strand General Development Plan ("GDP"), creation of a GDP for the combined Davenport and Stamford Landing site, and special exceptions/final site plan approval for Davenport and Stamford Landing. These related applications to construct a boatyard, marina and boat slips at three locations in Stamford Harbor ("Comprehensive Boatyard and Access Plan") fulfill the goals as articulated in the Master Plan. The overall proposal expands recreational boating and public access opportunities in a manner that encourages people to visit the area for boating, walking, dining and other recreational purposes while avoiding any conflict with the existing commercial water-dependent uses in the harbor. The plan revisions incorporated into the current proposal further satisfy these goals.

Master Plan Policy 5C: Encourage Public Access to the South End Waterfront

5C.1: Protect, enhance and promote water-dependent uses. Water-dependent uses include ferries; water taxis; boating; marinas; recreational and commercial fishing; port facilities; water-based recreational uses; industrial uses dependent on waterborne transportation; boat construction and repair; dry dock; uses which provide general public access to the waterfront; and other uses and facilities which require direct access to, or location in, marine or tidal waters and which therefore cannot be located inland. Additional marine-oriented recreational uses should be encouraged to develop along the harbor. All City-owned parkland should be periodically evaluated for its water-based recreational potential. Any uses or development that congests, restricts or otherwise limits the use of the harbor by commercial or recreational vessels should not be allowed. Structures and filling on the waterfront must also be designed in a manner that will not conflict with development of water-dependent uses and public safety.

The most notable feature of the Comprehensive Boatyard and Access Plan is its emphasis on water-dependent uses and public access that brings the public to the waterfront not only in the South End but in several of Stamford's neighborhoods. The proposed Davenport boatyard will be operated by Hinckley, a well-established and long standing company that will provide key boating services in the harbor. The Marine Market Study and Needs Analysis dated September 2, 2015 ("Market Study") highlights the Davenport location as an excellent location for this facility. Its location in the West Branch has a generous main channel and turning basin depth to allow for increased recreational boating, as documented in the Applicants' supplemental submissions. These materials further demonstrate that the proposed boatyard has

sufficient area for its proposed docks, as well as fuel and haul staging, avoiding any impact to other water-dependent uses or boaters in the area. See, e.g., Davenport Landing Plan Sheets CS121 & 123.

The Strand site will also fulfill Policy 5C.1, because it will provide the following water-dependent uses: 242 boat slips upon full build-out, public access around the entire site perimeter on a property that was historically inaccessible to the public, a major public destination in the form of public space and access when the balance of the site is redeveloped, and a pedestrian connection to Kosciuszko Park. These uses are entirely consistent with the goals established by DEEP in its 2000 Coastal Management Manual (the "Manual").¹ It should be noted that neither Master Plan Policy 5C.1 nor any other relevant planning document identifies dry land boat storage as a water-dependent use; accordingly, its relocation to the Davenport and Magee locations is entirely consistent with Policy 5C.1.

5C.2: Protect water-dependent industry. Existing water-dependent industrial uses are to be protected. For almost a century, a commercial boatyard was operated on a prominent waterfront site – historically called the HELCO (Northeast Utilities) or Yacht Haven West Site – in the South End. Beginning in 1912, this site on the west branch of Stamford Harbor was occupied for more than 50 years by the Luders Marine Construction Company, a Stamford shipbuilding industry of national renown. When the City's coastal management program was being developed in the early 1980s, the boatyard then occupying the site was identified by City planners as one of the largest boatyard/marina facilities serving pleasure craft in the northeast United States. Retention of uncompromised boatyard services and facilities on this property has been a goal of Stamford's master plans since the beginning of the City's coastal management program and should continue to be a top priority. Actions at a State level to provide economic incentives for maintenance of water-dependent industries should be pursued.

As described in the Applicants' Narrative, use of the Strand site had moved away from its historic manufacturing long before the closure of Brewer's Yacht Haven and thus this Master Plan policy is not truly applicable to the Strand site. Both the Market Study and the October 1, 2015 report prepared by the City's consultant, MarineTec Management & Consulting ("MMC Report") demonstrate that the nature of boating has shifted in recent years, and as such, the needs for that boating community have also changed.

The proposed Comprehensive Boatyard and Access Plan achieves the services and facilities needed for that changed market. Under the revised plan, Hinckley will operate the Davenport Landing boatyard as well as the Magee yard. As more fully described in response to Policy 5C.3 below, the Applicants' proposal will provide the "uncompromised boatyard services and facilities" espoused by the Master Plan. Hinckley, a world class operator with decades of experience in the boating industry, thoroughly understands the needs of boaters and can unquestionably meet this high standard.

¹ Stamford's CAM Application form references the "Index of Policies Planning Report 30," which DEEP published in December 1979. The Manual replaces the Planning Report as the governing guidelines for coastal reviews.

5C.3: This Master Plan encourages the development of a full-service boatyard and marina for Stamford's future.

The Comprehensive Boatyard and Access Plan implements this goal and the recent revisions also satisfy the demands articulated by the Zoning Board and the public with respect to the services and needs for a boatyard. The MMC Report at page 9 found that a review of the pro forma reflects a "feasible and viable full service boatyard." Since the date of that report, the size of the Davenport boatyard has increased by an acre; its building footprint has expanded by more than 3,000 square feet to allow more work space and indoor boat storage; and its outdoor winter storage capacity has increased to accommodate 154 boats up to 60 feet. The Davenport yard will be complemented by Hinckley's operation of Magee with storage for 234 boats up to 35 feet. As requested in the MMC Report, the plan for Magee now includes an on-site hydraulic trailer, facilities to power wash and shrink wrap boats, a small maintenance building, and a modest bathroom/office building. The entire site will be secured with fencing, lighting and security cameras. The Strand site includes restoration of slips along the eastern and southern sides of the peninsula, raising the total slip count to 242 slips. The Applicant has also agreed to repair the existing wave attenuators to ensure use of these slips.

The Davenport, Strand and Magee sites compare closely to the former Brewer yard. The attached comparison chart reflects the facilities and services at Brewer (as set forth in the Bermello Report) to the Applicants' proposal. In numerous categories, the current proposal meets or exceeds the operations at Brewer. Thus, the Comprehensive Boatyard and Access Plan will certainly meet the needs of the changed boating market and the Master Plan's request for a full-service boatyard and marina.

5C.4: Make non-water-dependent uses contingent upon providing public access and meeting other public objectives. Non water-dependent uses of waterfront property should only be permitted where they 1) provide meaningful general public access to the waterfront; 2) do not displace an existing water-dependent use or the opportunity to establish a new water-dependent use; 3) complement adjacent development; 4) function within the capacity of available infrastructure; and 5) achieve a high design quality.

At both the Davenport and Strand sites, non-water-dependent uses or condition revisions allowing non-water-dependent uses are only proposed in conjunction with water-dependent uses – a boatyard and marina respectively. At Davenport, the reduction in residential units has increased the amount of water-dependent use on the site. The latest plan revision also maintains the public access from the south along the Davenport waterfront, thereby satisfying this Master Plan goal. Similarly, at the Strand site, the water-dependent marina use is joined with an extensive public access route along the site perimeter, totaling 2.1 acres of the site.

The establishment of new and enhanced public access and recreational boating areas along the Stamford waterfront correspond with the coastal policies established by DEEP. The Manual also emphasizes the inclusion of public access with the following statement: "Generally, coastal public access should be provided where appropriate as a stand-alone water-dependent use and at any waterfront site proposed for non-water-dependent use to make the project consistent with the water-dependent use policies of the CCMA and to mitigate unacceptable

adverse impacts of the proposed development on future water-dependent development opportunities." Thus, it bears repeating that the extensive public access included in this overall plan is not only deemed a water-dependent use by the Manual, but providing such access would be consistent with the CAM Act even if no water-dependent uses such as the boatyard or slips were proposed.

5C.5: Promote recreation and boating. Recreational boating facilities should be encouraged to develop along the waterfront. Existing recreational boating and support facilities should be preserved and, when necessary, protected by public actions. Additional marine-oriented recreational uses should be encouraged to develop along the harbor coastline at appropriate sites. All City-owned parkland should be periodically evaluated for its water-based recreational potential.

As noted above, the Comprehensive Boatyard and Access Plan satisfies this Master Plan goal of encouraging recreation and boating in Stamford's waters. The waterfront at the Davenport and Strand sites will be accessible by the public via walkways and site improvements designed to draw residents to the water. Additional permanent and transient boat slips create opportunities for marine related recreation and will attract boaters and visitors who want to enjoy a complete waterfront experience with dining, boating, shopping and other recreational opportunities in Stamford.

To that end, the revised plan for Strand incorporates the Zoning Board and MMC's suggestion that work docks be converted to mega docks and the Applicant has agreed to investigate Boating Infrastructure Grants for additional work. Furthermore, the Applicant has also agreed to improvements to the West Beach boat ramp to increase its width to 30 feet and allow dredging in that area, which will facilitate greater use of the West Beach facility.

5C.6: Maintain and enhance harbor access. To encourage water-dependent uses, any uses or development which congests, restricts or otherwise limits the use of the harbor by commercial and recreational vehicles should not be allowed. Structures and filling on the waterfront must be designed in a manner that will not conflict with development of water-dependent uses and public safety. The use of fill and structures should be designed so as to minimize negative impacts on coastal resources. Finally, the maintenance and protection of federally developed and maintained navigation channels, along with the development of a plan for the efficient and timely dredging of these channels, are priorities.

Harbor access will most certainly be maintained and enhanced under the Comprehensive Boatyard and Access Plan. The proposed structures are consistent with the nature of the channel and the nearby uses, including O&G Industries, who previously expressed its support for the Davenport plan. As the Applicants' supplemental materials demonstrate, the main channel and turning basin have more than sufficient width to accommodate increased boating activity, in particular staging for fueling and winter hauling at Davenport.

Master Plan Policy W2: Preserve and enhance parks, open space and the natural environment [in Waterside]

W2.2: Promote waterfront views and access along the West Branch, with a focus on creating continuous public access along the water's edge, with frequent connections to upland streets and views of the water down cross streets.

W2.3: Protect and promote water-dependent uses, recreation and boating along the West Branch.

W2.4: Make non-waterfront dependent uses contingent upon providing public access and meeting other public objectives.

The Davenport Landing proposal expands waterfront uses and public access to the West Branch in Waterside. In conjunction with the public access and amenities existing at Stamford Landing, the Davenport site will expand the public walkway along the waterfront, provide connections to Southfield Avenue, and enliven a former industrial site for the benefit of the residents and general public.

The proposed text amendment and map change also implement these goals. The regulation would require that newly rezoned properties in the DW-D with existing structures contain public access to the waterfront. Additionally, by excluding water-dependent uses from coverage and other zoning limitations, the proposed amendment acts as an incentive to develop such uses by ensuring other development can occur on the site within the confines of the Zoning Regulations.

Master Plan Policy 7E: Support an Active and Diverse Waterfront Implementation Strategies

7E.1: Establish and maintain diversity of viable water-dependent uses that a) individually and collectively enhance the quality-of-life in the City and provide significant economic benefits; and b) are consistent with the capacity of coastal resources to support those uses without the occurrence of significant adverse impacts on environmental quality or public health, safety or security. Maintain and enhance Stamford's status as a center of recreational boating activity on Long Island Sound and a regional destination for visiting boaters.

The Comprehensive Boatyard and Access Plan ensures an active and diverse waterfront. In conjunction with the other uses in the harbor, the services and amenities of the boatyard and marina will enhance the overall waterfront experience in Stamford for boaters and the wider community. The updated plans enhance Stamford as a center of boating activity by providing 270 in-water slips at Davenport and Strand (well above the 251 wet slips previously provided at Brewer) and restoring and enhancing boating services through the Hinckley at both Davenport and Magee. Additionally, the Applicants have agreed to investigate the Boating Infrastructure Grant opportunities for further site enhancements at Strand.

Finally, the current plan will improve the waterfront environment by removing failed facilities and remediating long ignored contamination at the Strand site. Relocating the

maintenance and repair operations to an appropriately sized location at the Davenport site will ensure its long-term viability.

7E.2: Encourage and support continued operation and, where feasible, enhancement of public and private recreational boating uses and facilities, including facilities for the maintenance, repair, storage, hauling and berthing of vessels. Avoid development that would result in significant reduction of available recreational boating services, including, but not limited to, vessel maintenance, repair, storage, hauling and berthing facilities of local and/or regional significance.

As detailed above and in the Narrative, the Comprehensive Boatyard and Access Plan improves and expands the recreational boating opportunities in Stamford. Through Hinckley's provision of maintenance, storage and repair services at both Davenport and Magee, the boating community will be amply served. The non-boating public will also now have access to the waterfront at various points in the harbor where no such access previously existed.

7E.3: Maintain and enhance, for public use and enjoyment, waterfront parks, beach areas and other facilities that provide opportunities for public access to the City's coastal waterways and Long Island Sound, including but not limited to, City-owned properties and privately owned areas that provide public access to and along the coastal waterways.

As detailed throughout this memorandum and the Narrative, a key component of the Comprehensive Boatyard and Access Plan is expanding and enhancing public access to Stamford Harbor. At Davenport, the proposal continues the public access route that exists southerly of the project site and creates opportunities for both active and passive recreational uses along the western side of the West Branch. At the Strand site, the plan will create public access along the site's entire waterfront that did not exist during its industrial past, and a major public destination in the form of public space.

Policy 7F: Maximize public access to the waterfront. Existing public access and visual access to the waterfront is to be preserved and enhanced wherever possible. New access should be mandatory as redevelopment occurs, except in cases where public safety would be at risk. The extent and layout of such access will be dependent upon 1) the use of each waterfront site (e.g. public access would pose safety or significant security issues on waterfront land used for water-dependent industry, and 2) its location in relation to other public access resources or opportunities. The most meaningful public access will most likely be achieved where site plan features and permitted uses draw people to areas where waterfront access is provided and where there is continuous public access along the water's edge. Frequent connections to inland streets should be provided with pedestrian and view corridors aligned with cross streets to the maximum extent practicable. Continuous public access along the waterfront should take into consideration ways to celebrate and circumnavigate the working waterfront. A series of public destinations such as overlooks and fishing piers along the waterfront edge will help draw people along the linear path. Large blank walls or extensive parking adjacent to the waterfront should be discouraged. New development facing the waterfront should contribute to an active presence along the water's edge.

Public access is a prominent feature of the Comprehensive Boatyard and Access Plan. A public walking trail already exists on properties to the south of the Davenport site, but ends at the current Stamford Landing. Extension of this walkway along the Davenport site will enhance the public realm by drawing residents to the myriad of restaurant and recreation uses in the vicinity both along the western side of the channel at Stamford Landing. While the residential component at Davenport and Stamford Landing has been reduced to 218 units, these residents will be able to access the waterfront along the West Branch. The extensive public access at Strand will open up a site that was previously limited to those utilizing the businesses or boat slips on that site. The eventual link with Kosciusko Park and its recreation areas will further enhance the public experience in Stamford Harbor.

STAMFORD PLANNING BOARD
 PUBLIC MEETING - BOATYARD - 7:00 P.M.
 4TH FLOOR CAFETERIA - GOVERNMENT CENTER
 888 WASHINGTON BLVD., STAMFORD, CT
 TUESDAY, APRIL 19, 2016

ATTACHMENT #2

REQUESTED SPEAKERS

	NAME / SIGNATURE	ADDRESS	EMAIL	PHONE
1.	Dinter, Randy		hardint@aol.com	
2.	Dougherty, Tom	8 Hickory Drive, Stamford, CT	tgdougherty1@aol.com	203-536-0331
3.	Goldenberg, Carolyn	18 Rising Rock Road, Stamford, CT	carolyngoldenbert@hotmail.com	203-233-8502
4.	McClellan, Carol Ann	256 Washington Blvd., Stamford, CT	mcclellanstanford@aol.com	
5.	Michelson, Barry	111 Idlewood Drive, Stamford, CT	bmichelson@optonline.net	203-329-3310
6.	Boylan, Maureen	Save Our Boatyard	saveourboatyard@gmail.com	
7.	Dailey, Kevin	McMichael Yacht Brokers	kevind@mcmyacht.com	203-434-6060
8.	<i>Carolyn Goldenberg</i>	<i>18 Rising Rock Rd Stamford, CT</i>	<i>carolyngoldenbert@hotmail.com</i>	<i>203-233-8502</i>
9.	<i>William DeLaCruz</i>	<i>97 Diversey Rd Stamford, CT</i>	<i>williamdelacruz@yahoo.com</i>	<i>203-977-8827</i>
10.	<i>Kris Noel, William</i>	<i>4 S. Sagamore Lane</i>	<i>wknoel@yahoo.com</i>	<i>978-596-1811</i>
11.				
12.	<i>Virgil DeLaCruz "dist2"</i>			
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From: virgil de la cruz [mailto:virgildlc@optonline.net]

ATTACHMENT #3

Sent: Monday, April 18, 2016 9:54 PM

To: Dell, Theresa; Tepper, Jay; Fishman, Claire; Godzeno, Jennifer; Totilo, Michael; Levin, William

Cc: Mitchell, Elaine; Woods, David

Subject: BOAT YARD APPLICATION

Dear Planning Board Member:

In our March 11, 2016 attached letter to the Zoning Board we addressed the following two significant matters concerning the current plans for the proposed boatyard on Southfield Avenue.

The Boardwalk:

The long anticipated boardwalk linking the John Boccuzzi and Mill River parks must be preserved as a continuous, uninterrupted public access link along the waterfront to the northeast corner of the site, and then along Davenport Street to the Mill River Park, as originally planned. This visionary, civic feature for Waterside and the City connecting these two parks must not be abandoned, diminished, or compromised in any way. It is the kind of feature that can deliver incalculable economic benefit, and must not be surrendered.

This vision can be preserved by incorporating a pedestrian draw bridge to span the boatyard launching well. Such bridges are installed all over the world to provide public access in similar circumstances. As examples, attached are photos of such bridges from around the world. One of the examples shows a pedestrian draw bridge inside a shopping mall built straddling a boat channel.

Below is a link to a video of an ingenious pedestrian draw bridge across a boat channel in the Paddington Boat Basin, London. This particular "curling" bridge has been such a boon to tourism, that for the tourists' sake it is opened and closed on a published schedule, whether or not there is boat traffic.

<https://youtu.be/0all0bzyQD0>

The Road:

The road initially shown on the plans, intended to divert much of the Davenport Landing site apartment and office complex traffic away from Southfield Avenue, must remain. Given the chronic traffic backup along the Southfield/Greenwich Avenues corridor and the additional apartment buildings expected in the area, every opportunity to diffuse this traffic must be implemented. This auxiliary road can be routed alongside the western boundary of the proposed boatyard on the outside of the yard's operating area.

We request that as approval conditions, to preserve the boardwalk as originally planned, a pedestrian draw bridge across the launching well be included, and that the auxiliary road diverting the site's traffic away from Southfield Avenue and onto Davenport Street be retained.

Respectfully,

Virgil de la Cruz,
Elaine Mitchell,
District Representatives

29th Board of Representatives
City of Stamford
888 Washington Blvd., Stamford, CT 06901
District 2
Elaine Mitchell Virgil de la Cruz

March 11, 2016

Mr. Norman C. Cole
Land Use Bureau Chief
City of Stamford
888 Washington Blvd.
Stamford, CT 06901

Re: Boat Yard Application

Dear Norman,

Following are comments on the list of recommendations you introduced at the February 18th Zoning Board hearing to mitigate some of the issues and deficiencies in the latest incarnation of the proposed "boat yard" dispersed across Magee Avenue, Southfield Avenue, and the 14 acre peninsula.

The comments below are limited to the site in our District, the "Davenport Boatyard".

Board Walk:

The boardwalk as described on the list is terminated far from its long planned route and destination- namely along the waterfront to the northwest corner of the site and then along Davenport Street, ending at the Mill River Park, as originally intended.

There is no defensible reason to shortchange Waterside on this iconic civic feature. The boardwalk must be continued across the boat launching well with a pedestrian drawbridge to the northeast corner of the site, from thence eastward to Davenport Street. Such a bridge will not interfere with boat yard operations, as can be readily demonstrated by a competent time and motion analysis. Such pedestrian bridges are installed all over the world in similar situations.

The Waterside boardwalk has been part of the master plan since time immemorial and must not be abridged, diminished or compromised in any way.

The Road:

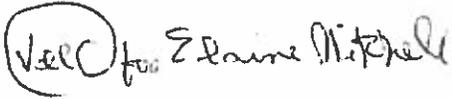
The road traversing from Davenport Landing to Selleck Street must remain. This road is intended to relieve the chronic traffic back up on Southfield Avenue by diverting much of the traffic from the development away from Southfield Avenue. Given the additional apartment buildings approved in the area, every opportunity to relieve traffic on the Southfield/Greenwich Avenues corridor must be implemented. There are several options for routing this road that will not interfere with boatyard operations.

During related discussions, some board members recommended that the proposed apartment buildings be reduced in size, or eliminated all together, to devote most, if not all, of the site to the boatyard. Please note that given the severe drop in elevation from Southfield Avenue to the waterfront, much of the site would have to be extensively excavated to provide a reasonably flat surface for boatyard operations.

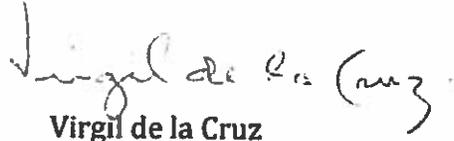
It should be recalled that community acceptance of the proposal was predicated, among other things, on the introduction of additional modern housing to Waterside, and the associated on-site affordable housing units. No proposal should be entertained that diminishes this component or the developer's minimum contribution of \$750,000 for offsite improvements.

It would have been far more preferable if the District Representatives had been consulted before compiling and presenting the February 18th list to the applicant.

Sincerely,

The signature is handwritten in cursive and includes a circled 'V' followed by 'elc' and 'for Elaine Mitchell'.

Elaine Mitchell

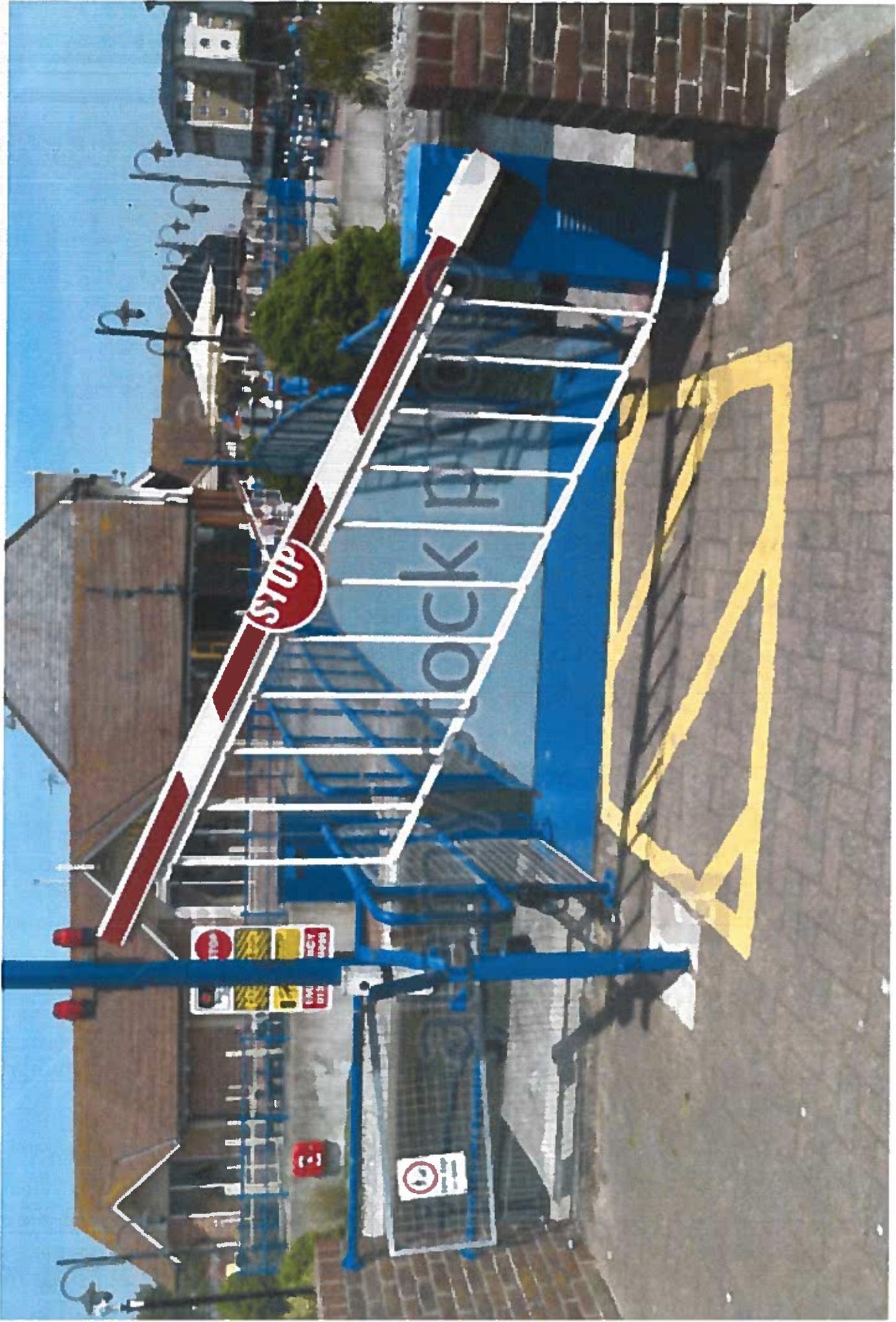
The signature is handwritten in cursive and reads 'Virgil de la Cruz'.

Virgil de la Cruz

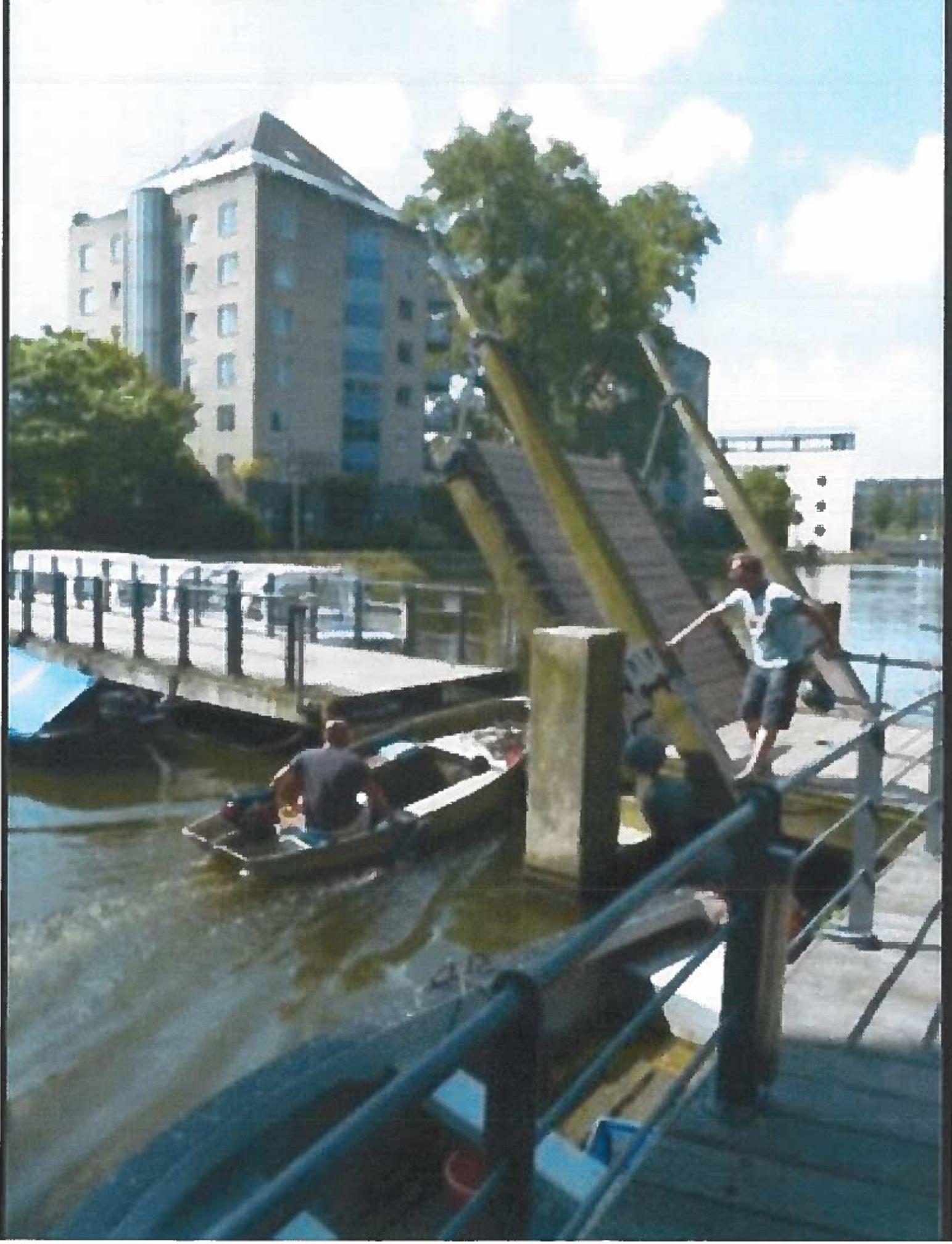
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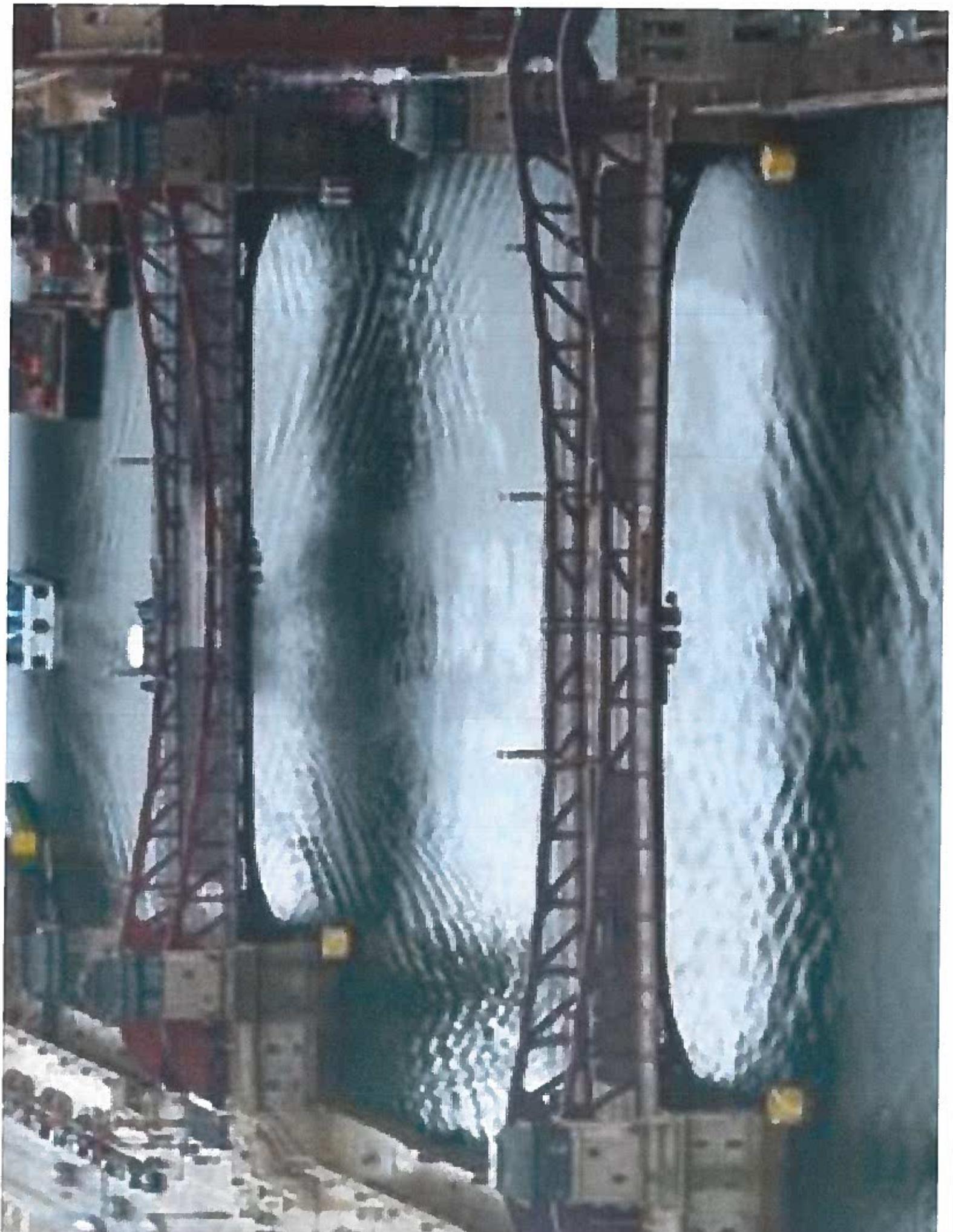
Mayor David R. Martin
Zoning Board

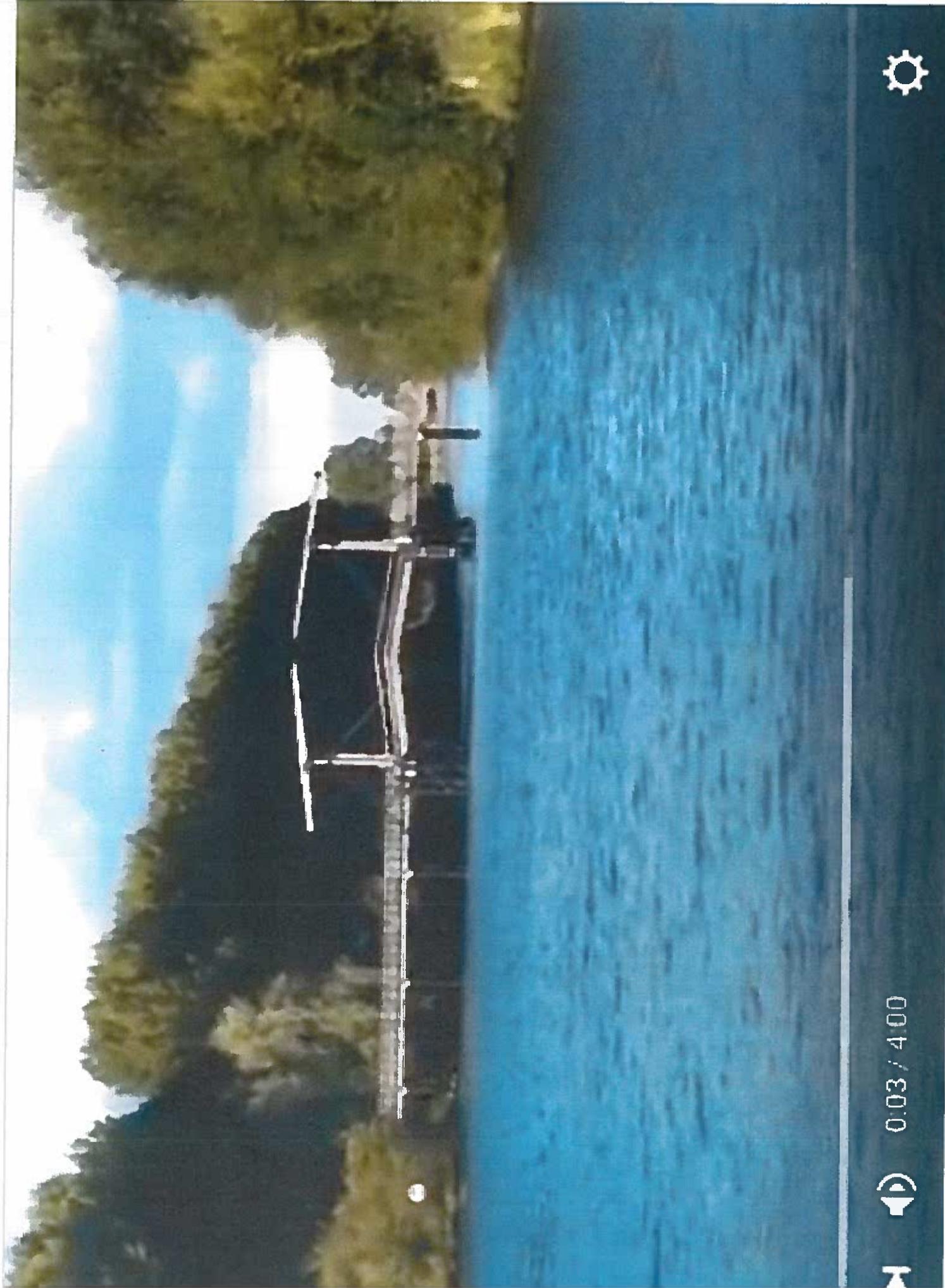




pedestrian footbridge over water with stop barriers raising as draw bridge closes

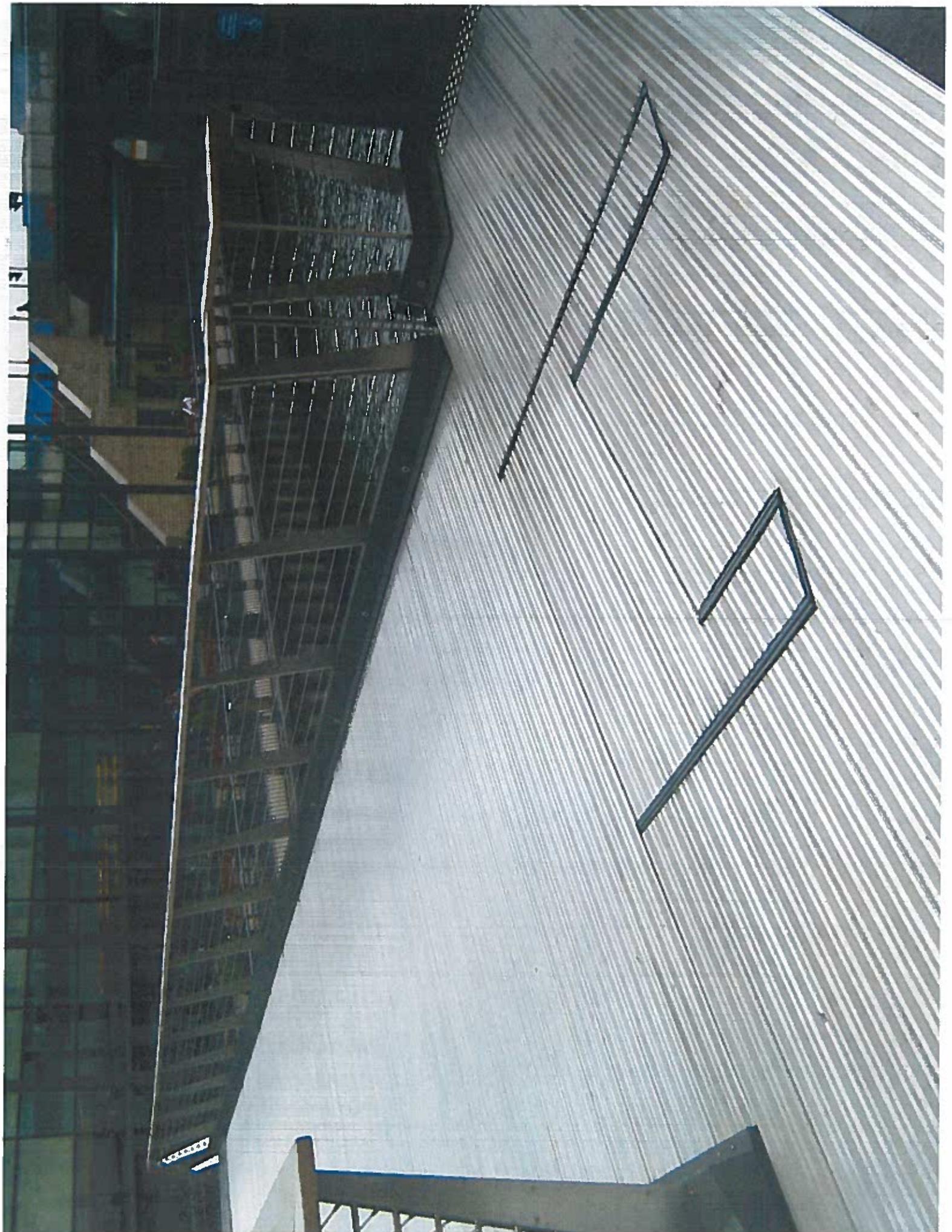


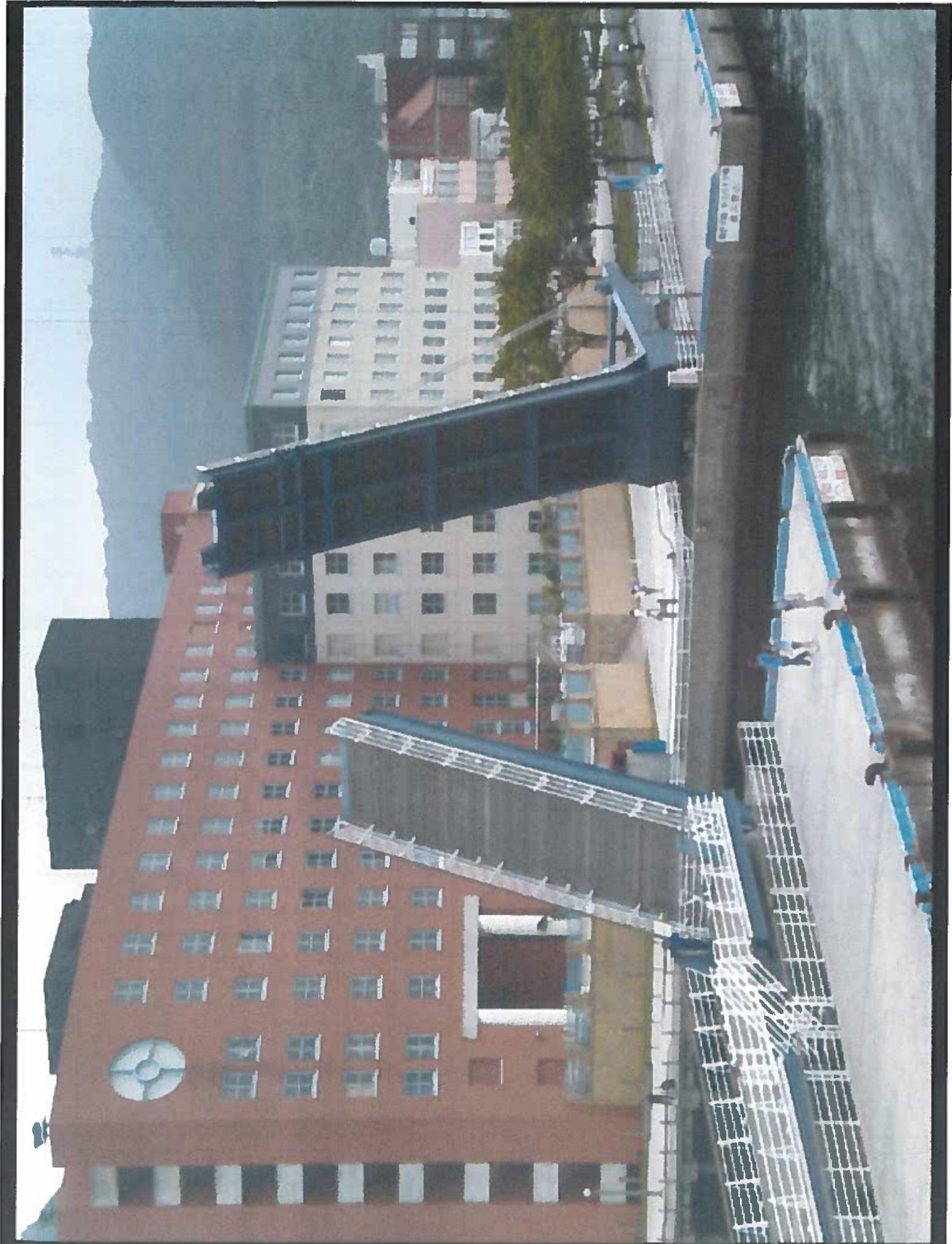


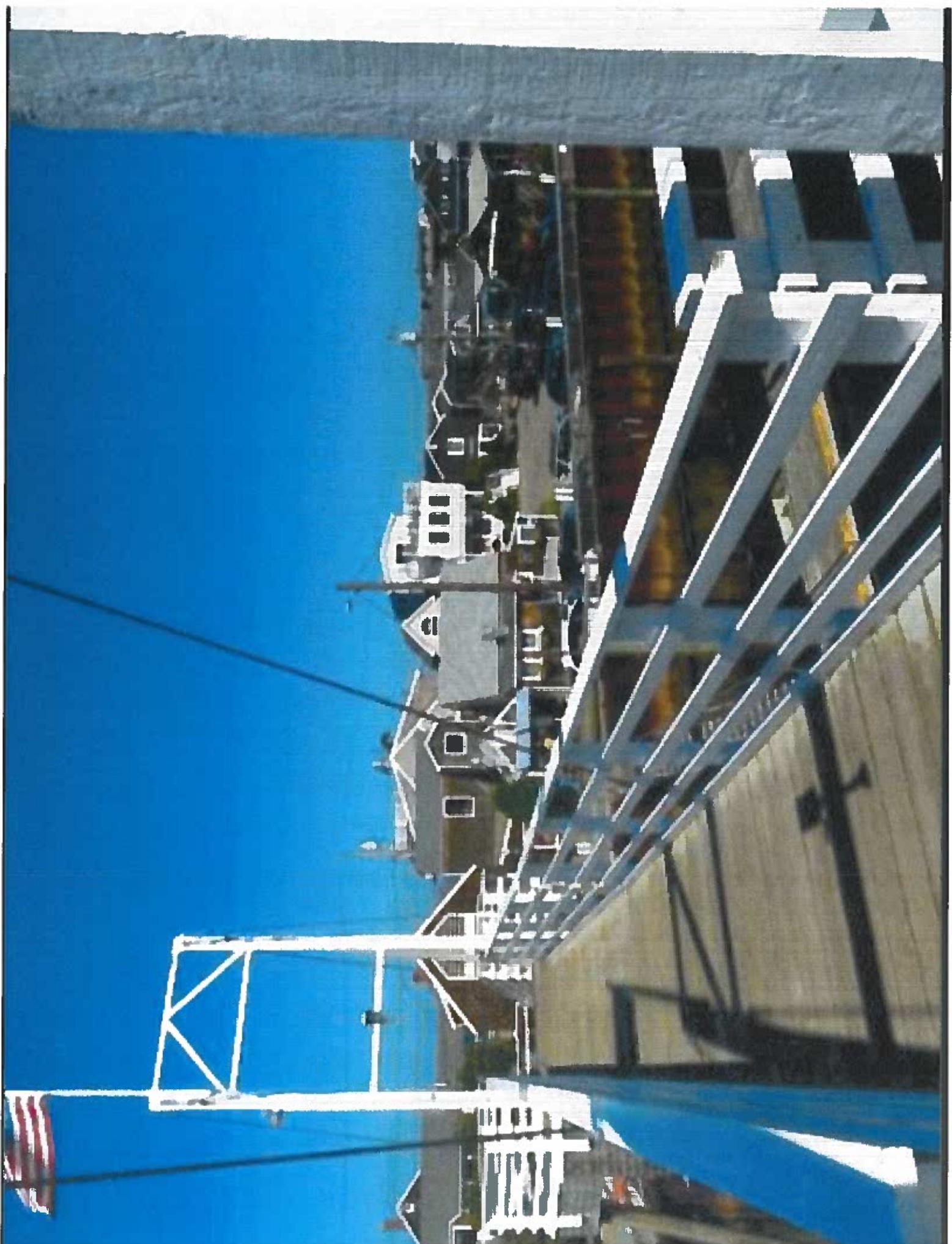


0:03 / 4:00









ATTACHMENT #4

**RANDY DINTER
PUBLIC MEETING - BOATYARD
APRIL 19, 2016**

Introduction:

I have been in the boating industry for the better part of 40 years.

General Manager for 2 boatyards – One in Connecticut and one in Westchester.

Served as service manager in several yards and service businesses to increase their business.

I have held certifications from Mercruiser, OMC, Chrysler Marine, Crusader, Pursuit and ABYC electrical and diesel.

I am a certified instructor for the Greenwich Power and Sail Squadron.

Have held a “6-pack” license and hold a Seaman’s Certificate.

A CHALLENGE TO THE DAVENPORT PROPOSAL

The “Davenport” proposal before you has been carefully crafted and presented here in order to distract us from the intent of the laws, regulations and agreements that are in place which should be governing the present situation. However, the “end game” is clear. The applicant wishes to maximize his investment here in Stamford by replacing a full service boatyard of regional significance with a much reduced series of facilities here in the South end of our City. Let’s look first to the Connecticut Coastal Area Management Act (C.A.M.) A section titled “Opportunities” from D.E.E.P.’s web site states the following:

When a non-water-dependent use is proposed on a waterfront site, the reviewing board or commission must determine the acceptability of potential adverse impacts to possible future water-dependent development activities associated with the proposed development. While doing this evaluation, the following factors which define adverse impacts to future water-dependent development activities, must be considered:

- Is the site physically suited for a water-dependent use for which there is reasonable demand or has the site been identified in the plan of development or zoning regulations for water dependent use?
- Will a non-water dependent use replace an existing water-dependent use as part of the proposed development or re-development plan?
- Will a non-water development use inhibit or restrict existing public access?

If any of the three conditions apply, the proposed non-water dependent use may preclude existing future water-dependent uses and create unacceptable adverse impacts. Upon such a determination, the proposed use should be modified or conditioned if such impacts can be mitigated to a level which is consistent with applicable goals and policies of the act, or if

modification cannot achieve consistency, the project should be denied. Adverse impacts may be mitigated by providing public access (See fact sheet for "General Public Access to Coastal Waters" for additional details).

Since our Harbor Management plan is based on the C.A.M. Act, it is not likely to change this situation. Add to this that the City's latest development plan that this Planning Board authored plainly discourages building, let alone a major development, south of the hurricane barrier. Further, when Antaries (the previous developer before B.L.T.) was negotiating their G.D.P. for the south end property they bought (now B.L.T.'s Harbor Point), the property rights were moved from the 14 acre boat yard site to north of the hurricane barrier. This was a move that is in line with the City's present development plan. It was also designed to protect the boatyard and to discourage the situation we now have. Who could have predicted the heavy handed interference, pressure and political wrangling by a Governor and recent City administrations?

The applicant states in the Davenport proposal as well as in public hearings that their proposed boatyard is adequate for Stamford's needs. There are a host of problems with this attitude. The boatyard that was illegally destroyed was of regional significance. Nowhere in the C.A.M. act does it specify that water-dependent uses are for a local community. Public access is the term used. While not directly expressing so in so many words, the public access is to the waterways which the public own. The C.A.M. act as well as the City's Harbor Management plan make it obvious that owners of waterfront property must employ the kind of stewardship that best suits this property to fulfilling a need for which it is physically appropriate and provides the best opportunity for public access, in this case, to and from Long Island Sound. No where in law, regulation, or agreement, concerning this property is there any encouragement toward maximum profitability over maximum public benefit. B.L.T. has not come forward with a plan or development for the 14 acre site that they are hoping to build. This should be part of what is before us now. Other than a vague promise that it will be "something special", we are all in the dark.

Presently the property has a "cease and desist" order encumbering it. Remediation in which the state of Connecticut has invested millions of dollars (16,000,000 of it was for Bridgewater) is unfinished. A poorly

equipped temporary boatyard is operating there. There has been no genuine effort by B.L.T. to compromise with the City's Boards, only a "learn as you go" approach to minimizing boating in this region of Long Island Sound.

The market study supplied by the applicant to support their proposal is seriously flawed. It is heavily steeped in statistics and relies heavily on information from the Connecticut Motor Vehicle Dept. From this information it draws the conclusion that boaters in Stamford are downsizing to powerboats under 30 ft. in length. One look around our harbor during the boating season would refute this outlook immediately. Most of the boats at local docks are 30ft plus, both power and sail. The majority of the 60 plus moored boats off Stamford Yacht Club are sailboats larger than 30 ft. long. This market study fails to reflect the real marketing statistics that have made Stamford Harbor a significant marine resource. The depth of its wide channels, our two protected inner harbors, and the miles of shoreline that have long provided access to Long Island Sound as well as some very special outlooks on our waters. Stamford Harbor has been providing refuge for larger boats and commercial traffic from the challenges in Greenwich, Cos Cob, Darien and other regional harbors. Limiting this gem of a harbor to what the applicant is offering in no way demonstrates what is meant in the tenants of the C.A.M. act, our harbor management plan, or any responsibility toward the "greater good".

Now, let us look at the proposal piece by piece:

The applicant has included slips that are intended to be built at the 14 acre former boatyard. They have indicated that they will provide bathroom and washing facilities ashore. However, without knowing what is to be developed upland and to whom slip revenue will be going, these slips are of no more significance to the proposed Davenport boatyard than any others in Stamford. The Magee Avenue portion of this proposal, while much changed from its original concept, is still beset by being landlocked in the middle of Connecticut's third largest city. The logistics of moving boats through city streets will provide challenges. Some specialized equipment and skills, will increase cost to those boaters forced to use the facility. Only serious planning and effort could make this facility a profit center as opposed to simply a business trying to survive. The Hinckley organization

has suggested to B.L.T. and the Stamford Zoning board that it would prefer a smaller building than the one proposed. This would seem to indicate the direction they prefer to take.

"Lindstroms's", "Doane's", and "Muzzio Brothers" were smaller yards that used to be in Stamford. They shared the same shortcoming as the proposed boat yard at Davenport Landing. With only a small "outlook" to the channel (approx. 400'), its dock space will be limited. While yards elsewhere have this same problem, they have had to use other means, such as a mooring field or being the "only game in town" for service and have, thus, a "captive" audience". Slip revenue is a huge economic stabilizer for a business with economic as well as seasonal ups and downs. The only cost factor is the initial building and installing of the dock system as well as its maintenance. Otherwise, it simply generates money. There are 28 slips proposed at Davenport Landing. Some more slips are proposed to be available to the boatyard but how this will be arranged, how it will operate, and exactly how they would financially benefit Davenport has not been spelled out. There is no business plan presented to us because we are told that there are issues of a proprietary nature involved. This would be understandable if we were entertaining the production of computer software, or building nuclear powered submarines. But, this is a boat yard. Fortunately, there is simple mathematics to the rescue. If you refer to the hand-out provided you can see the result of a realistic combination of storage numbers. The number and skillsets of employees would be a bare minimum to provide the needed services, along with their salaries, which I would consider barely adequate. The profit from storage after employees are paid would likely be swallowed by taxes. This leaves only the money generated by service to support other business requirements. Hinckley's answer to this was that they would make up any financial shortcomings with service numbers. A simple answer to a complicated situation. Depleting your other shops and yards can have a negative effect. Local talent has long since made their way elsewhere. Area boaters, since Brewer's was forced out of the 14 acre site, have made new service relationships out of the area. Getting a business established, even if you have a good reputation elsewhere, will be an uphill climb. What made Brewer's successful was being on a 14 acre peninsula, superbly positioned and surrounded by over 250 slips. The ability to put 600 plus boats ashore

and to access virtually every boat outside a building and move it inside for service made a truly effective business machine. The aforementioned market study portrayed this business as “not viable” because the liability of remediation required was beyond Brewer’s capability. Any mention of the fact that since Northeast Utilities vacated the site, one developer after another has owned it and was responsible to remediate, was carefully omitted.

Safety is another concern for the Davenport proposal. Working on, in, or attempting to maneuver a boat in close quarters while tugboats are working in the area can create problems even for professionals. Casual boaters caught unaware by a tug’s propwash, or getting in the way of a barge can result in a bad day for someone. O&G will be using larger barges, which will be very heavy when fully loaded. They will not stop or maneuver quickly in response to a developing situation, and at some tides will be constrained by draft. When empty, their size will give them a large sail to any wind. When pushing through ice, it is not always possible to go where you want. While we are told that the Coast Guard has passed favorably on the proposal, does this mean that a comprehensive safety revue was done? Having worked and been exposed to these conditions, I can tell you, they should not be taken lightly.

One final concern for this proposal is the removal of the Mill River Dam. This is accounting for a dramatic increase to the “silting-in” of the north end of the west branch of Stamford Harbor. By dredging for Davenport, a “settling” hole will be created for silt coming down river or being displaced by barge traffic and propwash. Frequent need for dredging can be yet another financial hardship for this proposed business venture.

Scott Connery, associated with “Save Our Boatyard”, as well as Mr. Rives Potts of the Brewer’s organization, have put forward innovative, modern, attractive concepts that, on the 14 acre peninsula, would be facilities and a port of call any maritime community would envy. These are the type of uses the C.A.M. act, and our own City’s original negotiating efforts were striving for as a destination port, a welcoming show piece for one of Long Island Sound’s treasurers – Stamford Harbor!

Also, please keep in mind what will be lost if this proposal, or any other which diminishes what we have had here is passed.

The ability to put on a significant boat show.

The ability to provide service and a port of call for the many sailboat races on Long Island Sound.

A proper home and headquarters for Marine Police and their boats, as well as our fireboat.

A business strong enough and big enough to create and support related development.

The ability to bring boaters and others to a significant destination.

By turning away from Stamford's leadership and history as a regional center for boating, what will we be getting in return? An exclusive enclave for the wealthy. A huge headquarters for another financial institute. Perhaps a casino?

Randy Dinter

Here are some rough numbers indicative of the revenue stream of a small boat Yard such as Davenport Landing:

Boat Storage: (Optimistic)

- | | |
|---|------------|
| 1. In-water summer dockage based on 28 boats averaging 30 ft. length @ cost of \$135 per ft. (competitive rate) | \$113,400. |
| 2. Upland winter storage for 200 boats averaging 35 ft. in length @ \$70 per ft. (competitive rate) | \$490,000. |

Note: These numbers are based on maximum rental of space indicated by the developer at Davenport Landing and do not reflect what the operator may charge or the ability to get 200 boats of 35 ft. length stored ashore for winter at this site.

Other sources of revenue:

- Revenue from service and repairs
- Transient dockage rentals
- Fuel sales.

Davenport Landing likely expenditures and salaries:

Possible manpower and salaries that might be allocated to provide services and accommodate boat storage advertised by the developer:

Position:	Pay:
General Manager	\$85,000.
Senior technician (\$35 per hr.)	\$72,800
Mechanic (\$30 per hr.)	\$62,400
Yard Crew (1 foreman, 1 crew)	\$104,000
Fiberglass - paint technician	\$72,800
Rigger	<u>\$72,800</u>
Possible total salaries:	\$470,000

It is likely that additional costs in overtime and for part-time hires would occur during spring commissioning and fall de-commissioning, unstepping, covering, etc.

Total arrived at storage income:	\$603,400
Total arrived at salaries:	<u>\$470,000</u>
Total known arrived at operating capital:	\$133,400

Other costs adding to operations would be:
Property taxes

Insurance – Property, Liability, Health

Utilities

Bookkeeping, Accounting

Fuel

Maintenance – snow & ice removal

Continuing education for techs.

Equipment and tool purchases

Rent or lease?

ATTACHMENT #5

Mr. Thomas Dougherty
8 Hickory Drive
Stamford, CT 06902
203-536-0331

Stamford Planning Board
Stamford Government Center
888 Washington Blvd, 7th Floor
Stamford, CT 06901

RE: Tom Dougherty's comments regarding the BLT plan to locate part of the Stamford Boatyard off Davenport St. in Waterside section of Stamford.

Dear Stamford Planning Board,

Thank you for allowing me to address the Stamford Planning Board last Tuesday, April 19th, 2016. Below is a summary of my comments:

The Stamford Boatyard was formerly situated at a single location at the 14-acre peninsula on the South End of Stamford. Ideally it should be restored back there.

The latest Boatyard Replacement Proposal will break up the Boatyard at 3 separate sites in different parts of Stamford:

- Washington Blvd in South End peninsula for a marina;
- Magee Avenue in Shippan for boat storage and repair;
- Southfield Avenue and Selleck Street in Waterside (formerly Petro Oil) for boat launching and retrieving, maintenance, repairs, and some storage.

The long-term viability of this awkward arrangement is highly questionable.

In addition, the new replacement proposal shows the merging of Southfield Avenue boatyard site with the existing Stamford Landing office & restaurants, and the construction of 218 new apartments. These new apartments are in addition to the 109 apartments under construction now on Southfield Avenue at the former Marshall's Trucking site.

Given the traffic back-ups we currently endure at Waterside, this Boatyard Replacement Plan will compound the traffic problems in our community. The added residential traffic and new truck traffic moving boats among the boatyard locations will create more delays for current residents, employees of local corporations, train station commuters, and emergency vehicles. A separate action now in progress calls for the elimination of Waterside Place – a street commonly used to by-pass the traffic backup around the Southfield/Greenwich Avenues/Pulaksi Street corridor, our main and only link to Downtown, the South End, the train station, and north and east parts of the City.

In addition, the new BLT plan does not seem to accommodate all the parking requirements for a Boatyard and the hundreds of additional residents and regular boaters in this area. I anticipate illegal parking on the streets, as well as people driving around the block a number of times to find a spot. This will further exacerbate the gridlock – even on the weekends.

A byproduct of these potential traffic tie-ups will be the adverse effect on the employees working at corporate park on Southfield Point. These workers will be challenged to get to/from work/home on a timely basis. As the exodus of companies continues to plague Stamford (Xerox, UBS, Frontier, GE, etc.), it would be a disaster if Gartner Group, ConAir, Daymon, etc. moved out of Stamford's Southfield Point with their hundreds of employees for an eminently preventable reason.

Apart from the increased traffic, this new Boatyard replacement plan will change the Waterside pedestrian boardwalk now being built along the harbor waterfront. The new plan shows that the Boardwalk will *not* connect John Boccuzzi Park to Mill River Park as originally planned. This feature should not be abandoned for the convenience of the developer.

The last thing Waterside needs is a boatyard. A site plan that incorporates much needed local services such as a bank, a pharmacy, a drycleaner; bakery, etc. would be far more preferable. This plan will slowly erode our community's attractiveness and create hardship for both residents and businesses throughout Waterside.

I suggest the Planning Board re-examine putting the Boatyard back where it was, in one spot, in the South End.

Thank you for considering my comments. Please let me know if I can be of any help in your ongoing deliberations.

Best regards,

Tom

Mr. Thomas Dougherty
8 Hickory Drive
Stamford, CT 06902
203-536-0331

BARRY MICHELSON
PLANNING BOARD REFERRAL NOTES

19 APRIL 2016

Applications:

The applications before you should be denied. I cannot understand why they were referred to you and what arcane process the Zoning Board is following. The applications are not consistent with the Master Plan and in violation of the Comprehensive Plan/ Stamford Zoning Regulations.

The Master Plan, Introduction and Vision, Chapter 1, page 18 states:

Beginning in 1912, this site on the west branch of Stamford Harbor was occupied for more than 50 years by the Luders Marine Construction Company, a Stamford shipbuilding industry of national renown. When the City's coastal management program was being developed in the early 1980s, the boatyard then occupying the site was identified by City planners as one of the largest boatyard/marina facilities serving pleasure craft in the northeast United States. Retention of uncompromised boatyard services and facilities on this property has been a goal of Stamford's master plans since the beginning of the City's coastal management program.

In Chapter 5, Downtown and South End, page 114 states, and requires us to:

5C.1: Protect, enhance and promote water-dependent uses. *Water-dependent uses include ferries; water taxis; boating; marinas; recreational and commercial fishing; port facilities; water-based recreational uses; industrial uses dependent on waterborne transportation; boat construction and repair; dry dock; uses which provide general public access to the waterfront; and other uses and facilities which require direct access to, or location in, marine or tidal waters and which therefore cannot be located inland.*

5C.2: Protect water-dependent industry. *Existing water-dependent industrial uses are to be protected. For almost a century, a commercial boatyard was operated on a prominent waterfront site – historically called the HELCO (Northeast Utilities) or Yacht Haven West Site – in the South End. Beginning in 1912, this site on the west branch of Stamford Harbor was occupied for more than 50 years by the Luders Marine Construction Company, a Stamford shipbuilding industry of national renown. When the City's coastal management program was being developed in the early 1980s, the boatyard then occupying the site was identified by City planners as one of the largest boatyard/marina facilities serving pleasure craft in the northeast United States. Retention of uncompromised boatyard services and facilities on this property has been a goal of Stamford's master plans since the beginning of the City's coastal management program and should continue to be a top priority. Actions at a State level to provide economic incentives for maintenance of water- dependent industries should be pursued.*

The Master Plan reflects the goals and objectives of the City. The vision of the Master Plan is implemented through the Zoning Regulations.

The Connecticut General Statutes (Sect. 8-2M) allows the Zoning Board to establish flexible zoning districts and planned development districts and for the zoning regulations to establish standards for such districts. The Zoning Board created two development districts with fixed boundaries in furtherance of the Master Plan vision for the South-End, the SRD-N and the SRD-S. Each District is a Zoning Tract pursuant to the Regulations.

It is evident the Section J. of the SRD-S regulations exists to provide flexible development standards and to protect the 14 acre water dependent boatyard within the District:

Purpose of the SRD-S District (J.1) is to control all development within the defined boundaries of the Zoning Tract and exists exclusively to coordinate redevelopment of large mixed-use developments and revitalization of “significant waterfront properties”, giving preference to water dependent uses. The preference for water dependent use is amplified by directing that not just priority be given to water dependent uses but highest priority.

Objective of the SRD-S District (J.2) are: *Protection and encouragement of existing and new water-dependent uses and their essential supporting uses.*

Criteria for Designation of the SRD-S District (J.3) as a Zoning Tract shall be: *“consistent with the Purpose and Objectives as set forth in subsection 1 and shall be consistent with the Master Plan designation for the site...”*

Permitted Uses of the SRD-S District (J.4) in subsection d. provides that *“Except as provided for below, if a site contains an existing, viable water-dependent use, such use shall be retained. No proposed use shall be approved that would adversely impact a water-dependent use. The Board may authorize the modification of an existing water-dependent use provided that...”*

Webster’s defines “modify” as:

1. To change somewhat the form or qualities of; to change a part of something while leaving most parts unchanged; to alter somewhat; as, to modify a contrivance adapted to some mechanical purpose; to modify the terms of a contract.
2. To limit or reduce in extent of degree; to moderate; to qualify; to lower.

The elimination of the 14-acre boatyard from the SRD-S tract to another site outside of the District, the congested Waterside neighborhood, is not a modification of the SRD-S Zoning tract. The elimination of the boatyard site essentially collapses the district that was created specifically to protect and encourage existing and new

BARRY MICHELSON

PLANNING BOARD REFERRAL NOTES

19 APRIL 2016

water-dependent uses and their essential supporting uses. If the District collapses the development rights moved off of the 14 acre site must be revoked which would put the entire District in jeopardy.

To answer Clair's question, once the boatyard is moved out of the District, the applicant has confirmed that over time there is no warrantee or protection for the continued operation of a boatyard. Note that the 14 acre boatyard was the last remaining boatyard in Stamford. There was credible and uncontested testimony at the Zoning Board that the 14 acre boatyard was and would continue to be viable. There was also credible testimony that the proposed boatyard would not be viable. Approval of these proposals will likely result in no boatyard in Stamford in the future which clearly violates the Master Plan.

The role of the Zoning Board is to approve, deny or approve with conditions. The Stamford Zoning Board is pursuing a coercive role directing substantive changes, inclusion of services, redesigns and departmental referrals while unfairly failing to address the fact that the elimination of the 14 acre boatyard is not in conformance with the Master Plan and is not permitted under the clear and precise language of the Zoning Regulations or the CT Coastal Management Act.

I encourage Members of the Planning Board not to just accept my presentation but to review for themselves the Master Plan and the Zoning Regulation citations I referred to.

I would additionally like to note that during the course of the Zoning Board hearings numerous hazards were identified. The West Channel is a busy commercial channel. There have not been any discussions or recommendations on ways to mitigate any of the recognized navigational risks. There are also significant fire hazards storing 50 boats in racks inside a building and on land so close to residences.

Stamford is celebrating 375 years. Boating has been a significant and important part of our heritage and our history. Boating in New England is a significant industry. The Long Island Sound Study estimates that Long Island Sound contributes \$9.4 billion dollars per year to the local economy. Stamford is loosing out on its share of this value. The preservation of the 14 acre boatyard, in the SRD-S district, would assure and protect for future generations this unique and desirable Stamford water dependent facility. In addition, as a matter of good City Planning, additional office structures on the waterfront in a flood zone hardly makes sense in a City with substantial office vacancies including largely vacant structures already on the waterfront.

There is nothing in the application that has been presented that would warrant any change from the negative recommendation previously provided to the Zoning Board.

Barry Michelson

ATTACHMENT #7

From: Maureen Boylan <mboylan52@gmail.com>

Date: April 21, 2016 at 6:06:21 PM EDT

To: <tdell@stamfordct.gov>, <dwoods@stamfordct.gov>, <jtepper@stamfordct.gov>, <cfishman@stamfordct.gov>, <jgodzeno@stamfordct.gov>, <mtotilo@stamfordct.gov>, <wlevin@stamfordct.gov>

Subject: Maureen Boylan Comments/Info - Davenport Plan

Planning Board Members:

Attached are my comments from the Planning Board Hearing this past Tues. night along with some valuable information not discussed that you might find very interesting. If we truly had a boatyard/marina here in Stamford here is proof positive of 2 different set of circumstances as to why a boatyard should be here in Stamford and the economic funding viability our city is losing by not having one. Not to mention as you will see here our very own Vineyard Vines is one of the sponsors of this event. Too bad BLT can't understand these types of concepts in not having a boatyard here.

Regards,
Maureen Boylan
Save Our Boatyard

Article Floating Art Museum - Sept 2011 - 288 ft Yacht See attached pictures

<http://www.stamfordadvocate.com/local/article/Greenwich-art-show-sets-sail-2175069.php#photo-1604867>

**For All the Information regarding the Americas Cup Land and Sea packages see this link
Page 5**

https://americascup-images.s3.amazonaws.com/files/m1375_lvacws-ny-htw-v031116-vb.pdf

**RE: Planning Board Meeting
April 19, 2016**

Ladies and Gentleman of the Planning Board:

Here we are nearly 5 yrs later probably the 4th time appearing before the Planning Board and no resolution in site let alone a compromise to the 14 acre site. This Davenport Plan is quite frankly a sham, to bury the Boards in paperwork and applications to make you believe that this is the most fabulous plan that Stamford has ever seen, well it's not and far from it.....

Going back to last Oct. 2015, John Freeman BLT's attorney appeared before this Board begging you then and begging you now to approve this plan. His direct comment back then was "I promise I will build something really special on the 14 acre site. Since when do we believe developers promises! The City of Stamford wasn't built on promises, it's built on the Rule of Law and Regulations which everyone needs to abide by including Developers, otherwise why even have regulations at all just let them do whatever they want. Well that is not the case here, and BLT has violated so many regulations and is playing the bait and switch game it's so blatantly obvious. Let's start with the:

Davenport Plan:

- 4 acres does not constitute a 14 acre site and replace the services that were at the former 14 acre site. BLT has yet to submit a plan for the 14 acre site which is why this plan should NOT be approved on that basis alone which is required, period!
- This Davenport Plan is NOT a full service boatyard as this plan suggests, it does Not have a real machine shop, a rigging shop for sailboats, mast storage, sail repair, wood shop to repair wooden boats so to say they are a full service fails in comparison to the former site! That's five services left out of this plan that was equal to the businesses that were on the 14 acre site.
- Fuel Dock – Has NOT been approved for removal at the temporary site to the so called Davenport site by Fire Marshall Charles Spaulding and there is NO official written documentation or approval for fire codes by Mr. Spaulding or anyone else for that matter. John Freeman has been lying to all the Boards and is on record telling everyone he has approval from the Marshall for which John Freeman has provided no such written documentation of. We met with Mr. Spaulding on Feb. 26th in stating as such and has not given his permission.
- Indoor storage, office, showers, laundry were never in BLT's original plans and it wasn't until BLT had two interns nearly two years ago sitting at Save Our Boatyard's presentation to the Planning Board regarding our 14 acre plan that these interns had strategically placed hidden cameras on top of garbage cans and videotaped our presentation, stole some of Our plans and incorporated them into the Davenport Plan. Refer back to their original set of plans, there was not one item listed above in BLT's original plans. Shows lack of expertise in actually building boatyards.
- BLT claims that All DEEP and ACOE permits are in place – that's another false claim, the DEEP has not ruled on the 14 acre Site, the DEEP has NOT ruled on GDP Cond. #7. The DEEP granted a remediation permit only for the Davenport Plan. So since the DEEP has not ruled on the 14 acre site which takes precedence over this application, therefore not all permits are in place. Just because BLT has a remediation permit only is not grounds for permission of the approval of this Davenport application.

WEST BEACH:

The West Beach Boat Launch is part of the PARK! Norm Cole and the city's engineering department have no right advising a developer to make improvements, changes or modify city property, that is paid for by Stamford's taxpayers, for a developers own enhancement of private property at Magee Ave. Our city's regulations specifically state that no city property is to be gifted to a private entity for exclusive use and that is exactly what is happening here. The boat launch is city property; it is part of the West Beach Park.

Secondly, the HMC has not approved giving a developer rights to closing the boat launch.

Third, the Coast Guard has not granted BLT to close this ramp.

Fourth, The DEEP has not given BLT a remediation permit for this site.

Lastly the boat launch is Stamford's Only evacuation site and is NEVER to be shut down it is against the law, especially in the case of an emergency. We don't shut this boat launch down to make things easier for BLT/Hinckley! God forbid there's a hurricane and boats need to be transported out and the ramp is closed because of remediation for a developer's greed!

Magee Ave:

- BLT has yet to provide the long term lease, financials, to the zoning or planning boards from Hinckley regarding the Magee Ave. site, considering now that all of a sudden Hinckley now has interest in the property since John Freeman was on record at the Feb. ZB meetings that Hinckley had no interest in managing the property. There is also no security being provided at the Magee Ave site.
- Long term lease with Hinckley has not been provided to the Zoning Board and there is the issuance of building rights to Hinckley to build a 12K sq ft bldg later in a few years. That is not acceptable to the ZB and they questioned John Freeman on this very issue at the March 28th meeting by Tom Mills.

14 Acre Site:

- BLT fails to mention what type of structures have been added to the site, what size structures, also does not provide any dimensions or plans of the office space, storage. The 14 acre site has been illegally destroyed and BLT is required to not only restore the yard, but also pay back the state of CT the 16M dollar bond back to the DECD. The initial agreement upon purchase of the property was for BLT to pay for the remediation at their expense themselves. They have arrogantly denied that they don't owe anything!

Talking Points:

Norman Cole instructed Pamela Landzione NOT to talk to the owners at BYH for fear of realizing the true sizes of boats and services and acreage supplied by BYH. Everyone knows the yachts and large type boats that come in and out of our harbor and the mis-leading comment Ms. Landzione makes that the boating market only serves 28ft boats is preposterous.

John Freeman states at the Zoning Board meeting this past February "This is My Yard and I am building it for Stamford Only"! He apparently is not building a boatyard for outsiders other than Stamford boaters and he's on record stating as such again at a Zoning Board meeting in Feb.!

For someone who got their degree in Economics surely does not understand the Economic Development issue not only for our harbor and our city, whereas the 14 acre site can be a staycation destination with what OUR plan provides. You would want boaters and non boaters visiting a destination boatyard site/marina spending their money at your facility from neighboring towns.

Bait and Switch, BLT is working with the Belpointe Developers so BLT can try and get off the hook and not pay the minimum \$750,000 required obligation that developers are supposed to pay for improvements on construction projects, namely for the roadwork regarding the Davenport Plan. BLT is probably wanting Belpointe to pay for all roadwork/park improvements themselves.

Questions for the Planning Board:

Why the city's Board are even considering granting an application to a developer that has a Cease and Desist order against them and owes over 6M dollars in fines for such?

Why is the city's Land Use Chairman Norman Cole, going out of his way re-drafting this application by submitting a 25 point Deficiencies list and trying to improve this application on behalf of this developer? Not to mention the tax payers pay his salary!

Why did the city's Economic Developer Thomas Madden, get caught red handed drafting a press release on behalf of BLT to the DEEP and urging them to approve this application? Since when does our Economic Developer work solely and privately on the behalf of a developer?

Where are the non disclosure agreements with Ms. Landzione along with the financials that BLT failed to produce?

In regards to the city's first consultant Bermell Anjil, if you re-read the report Part 1, you will read how as consultants they pretty much panned mostly all phases of BLT's initial application and BLT was not compliant with our city's regulations and the GDP Condition #7. It seems as though when the GDP Conditions were written by the City's Administration in conjunction with BLT, John Freeman likes to spout that the GDP is written by him for him as he again is on record stating at Zoning Board hearings, in March. I guess he forgets that the boatyard was illegally destroyed and that there would be no diminution in services according to the 2007 legal documentation provided by Attorney Bill Hennessey.

We also want to make the Boards aware that a Hinckley Yacht yard in Brick, N.J. closed because they couldn't maintain it last year in 2015. So what's to say the same situation can't happen here and Stamford be left without a boatyard once again?

In closing, we the boaters and non boaters live here and pay our taxes here, and those taxes are not paid to BLT, but the City of Stamford. BLT gets a huge tax abatement as does many of the businesses in the south end called the enterprise zone, much of which is up to an 80% tax abatement for the entire south end. As residents/homeowners/boaters of Stamford, we can only imagine receiving that kind of tax break. Yet developers namely BLT get to double dip by getting a huge generous tax deduction, not paying the 16M DECD bond back to the state, they disregard our Rule of Law and our city's regulations, let alone not pay the 6M in Cease and Desist fines owed to the city, and reap the rewards on monthly renter/business rental payments from those businesses in the enterprise zone.

BLT wants to make amended changes to applications and bury our boards in paperwork. They then try to get various board members recused and failed, tried getting past corporate counsel attorneys to rule for them at public hearings and failed, have two economic developers work for them and they failed, and the last round of this application by the Planning Board, HMC and Zoning Board failed.

Everything that BLT has done regarding this application has FAILED. They have not provided any plans for the 14 acre boatyard site which takes precedence over any Davenport plans and for all the reasons stated, the Davenport plan should NOT be approved and the 14 acre site be immediately restored.

Regards,

Maureen Boylan
Save Our Boatyard

Additional Information:

The Seafare Floating Art Gallery Museum was featured the week of September 13, 2011. **The Seafare Yacht is 228ft. long with a 6.5 foot draft.** The boat was docked and staged at BYH for appx. 6 weeks to allow the artists and curator to set up a first of a kind floating art gallery. BYH had not only the docking space to service this yacht, they also had sufficient Parking and access to board the vessel to help the artists maneuver their equipment onto the vessel and stage their art displays. The boat then sailed down to the Delamar Hotel for a long 4 day weekend art show that was open to the public. BLT does not have the capability of hosting a vessel of this magnitude in their Davenport Plan should this vessel return again. Article has been included and sent.

Also because there is no boatyard, May 7 & 8th 2016, NYC will be hosting the Americas Cup Sailboat races at North Cove Marina, just off Battery Park. All information will be sent as well, but Stamford loses out again not only hosting this event, it is losing Millions of tourism dollars on event that is sponsored by Louis Vitton as well as other big name sponsors. No to mention that the teams will be arriving 10 days prior to these qualifying races which will be heavily covered by the media, the race teams will be spending significant amount of funding on hotels, restaurants, Boating services and repairs prior to racing weekend. To maintain EACH sailing yacht, costs in the estimates of \$37 million dollars per vessel, if not higher, as salaries, supplies, repairs and services, transportation are just some of the costs to race these sailing yachts. Again information included. ***Please pay particular attention to Page 5 for the pricing of visitors attending NYC for this event both on land And Water, you will be amazed.***

NEW OWNERS HAVE BIG PLANS FOR BRICK MARINA PROPERTY

👤 Daniel Nee 🕒 February 19, 2016 📌 Boating & Fishing, Featured, Local Business



Barnegat Bay Marina will open at the former Hinckley Yacht Services property this spring. (Photo: Daniel Nee)

A bayfront marina property at the foot of the Mantoloking Bridge in Brick will undergo a significant redevelopment project in the coming months, featuring new boat slips and docks with numerous amenities and, potentially, a waterfront restaurant in the future.

The former Hinckley Yacht Services property, across the street from the Traders Cove park and marina, will be redeveloped as Barnegat Bay Marina and ready to accept its first slip customers this season, said Ryan Dunn of Intercoastal Marina Management, a Brick company that is managing the property for its new owners, two business partners from North Jersey who maintain seasonal homes in the area.

The marina took heavy damage during Superstorm Sandy, prompting the Hinckley company to put the property up for sale.

"It's really going to be a clean slate," said Dunn. "We're putting things back together."



Barnegat Bay Marina will open at the former Hinckley Yacht Services

Crews have been busy for about two months taking down derelict building and getting the property ready for the planned facilities the site will offer. The first phase of the redevelopment project, Dunn said, is to install a new, state-of-the-art high speed fuel dock that is expected to open April 1. In its initial season, the marina is expected to have 30 to 40 slips available for lease.

property this spring. (Photo: Daniel Nee)

The long-term plans for the site call for picturesque landscaping, a pool overlooking the bay and 110 wet slips. The new owners are planning on maintaining the in-water storage and service building that is built half on land and half covering the water. The overall plan for the site is still under development, said Tony Ferreira, one of the partners in the business.

“We don’t want to just rush into anything and be sorry later that we built something that doesn’t make sense,” said Ferreira. “One of the biggest things we keep hearing from everyone is to have some kind of restaurant. That is definitely in our next phase.”

Dock-and-dine access to the restaurant, a relative rarity in Ocean County despite miles of waterfront, is envisioned.

“We always felt from the beginning that it’s a great location for a restaurant, year-round,” Ferreira said.

Landscaping for the site will be done “to the nines,” said Dunn, whose company will manage the facility on a day-to-day basis when it opens in April. His company is assisting the owners design the layout and site plan and for the property, which will eventually be formally presented to the township planning board. Before Hinckley operated the marina, it was owned by local boating icon Kenneth Winter, who operated it as Winter Yacht Basin, drawing customers from up and down the east coast to have work done on their vessels. The new ownership will continue to take some cues from Winter’s era, even as it is redeveloped into a modern, state-of-the-art marina.

“It’s not going to be a boatyard like it was – it’s going to be a hybrid of a working boatyard and a first class marina,” said Dunn.

Slips will be “priced fairly for the service we provide,” said Dunn, and will be sized for both large – between 60 and 70 footers – and small boats.

“We’re going to have a blend,” Dunn said, adding that contractors are currently working on all new plumbing and electrical systems which will be ready in time for the opening.

The first year of the marina’s operation will be something of a work in progress, as construction crews will continue working on new docks, bulkheads and facilities all season long.

“We’re taking our time, phase by phase, trying to make sure we don’t take any missteps,” said Ferreira. “This is an interesting project, and it’s something we look forward to having for a long time to come.”



Barnegat Bay Marina will open at the former Hinckley Yacht Services property this spring. (Photo: Daniel Nee)

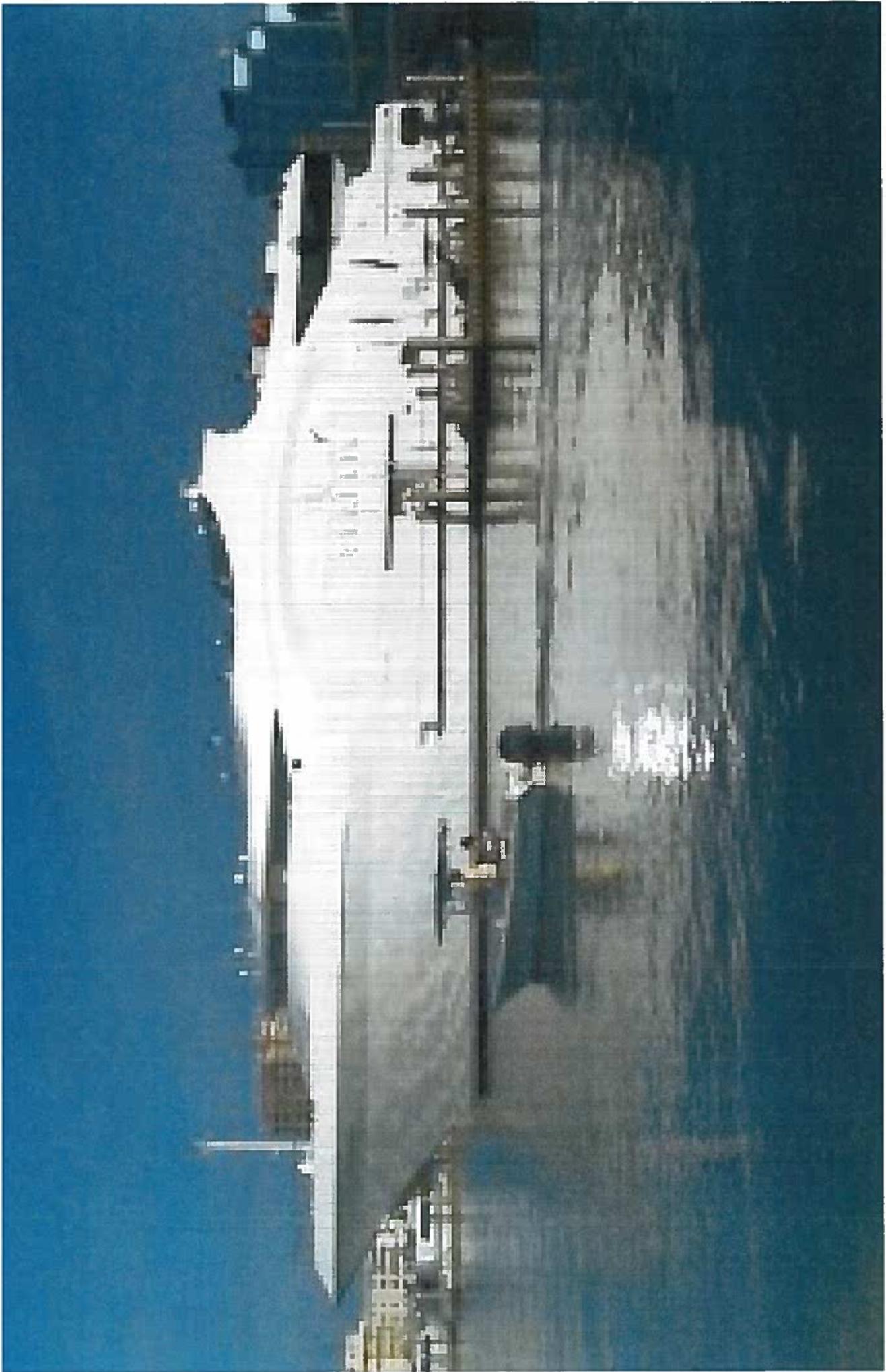
Dunn said township officials have been “very supportive” of the project. “They want this to get done and be a first-class facility – it’s the first thing you see in Brick when you come over the bridge.”

Both Ferreira and Dunn were confident the project will be a long-term success story, and an example of how a Shorea area marina should be run in 2016.

“If you take care of your customers and provide them with everything they’re looking for, the folks who continue to invest in this business and push it forward will succeed,” Dunn said.

For More Information and Slip Rentals:

- Barnegat Bay Marina Website
- 5 Mantoloking Road, Brick, N.J.
- Phone: 732-477-7700
- E-mail: info@barnegatbaymarina.com





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advocate <http://www.stamfordadvocate.com/local/article/Greenwich-art-show-sets-sail-2175069.php>

Greenwich art show sets sail

Lisa Chamoff, Staff Writer Published 10:31 pm, Friday, September 16, 2011



IMAGE 7 OF 10

Buy Pho

The annual Art Greenwich art fair is taking place on the 228-foot exhibition vessel SeaFair docked in Greenwich Harbor at the Delamar Hotel marina. The floating art gallery will feature many different types of ... [more](#)

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The unusual vessel, designed specifically to showcase fine art will be docked at the [Delamar Greenwich Harbor hotel](#) through Monday for the annual Art Greenwich fair. Local and international art, antique and jewelry dealers set up shop in the gallery spaces on the ship's three decks Thursday evening, when the art fair kicked off with a VIP event. It opened to the

public Friday.

[Michelle Brunwasser](#), a partner in the Greenwich location of Weber Fine Art on West Putnam Avenue is displaying 40 pieces, mainly works by 20th-century modern masters, on the main level of the ship.

Brunwasser on Friday said the show's organizers contacted her in August. She thought the yacht concept was

unique, but mainly was thrilled to participate in an art show in Greenwich, where there are few venues for such large events.

Customers appreciate it, too.

"It's in their backyard," Brunwasser said. "I think it makes it very easy and comfortable to come out. It's a great setting to buy something because it's open and easy. They can enjoy the boat and then go out to dinner."

Related Stories



Greenwich art show sets sail

David Lester, who commissioned the \$40 million vessel, named SeaFair, in 2007, said the idea behind it is to bring large shows to communities such as Greenwich, which doesn't have a convention center.

"This gives the Greenwich residents an alternative to having to go into New York to see a variety of art," Lester said. "It comes to them."

The air of luxury, including stone floors at the ship's entrance, and elevators, also draws people.

"People in Greenwich -- they want something more elegant," Lester said. "It's got to be first class."

SeaFair has docked in Palm Beach, Fla., and Newport, R.I., for previous shows. Next summer, it will follow vacationers to Martha's Vineyard and Rockland, Maine. SeaFair was last in Greenwich in 2007, but the show was invitation-only.

The yacht was designed as a gallery, so dealers simply hang paintings and place sculptures.

More Information

Getting aboard Art Greenwich runs from 11 a.m. to 9 p.m. Saturday and 11 a.m. to 7 p.m. Sunday and Monday, and is located at the Delamar Greenwich Harbor, 500 Steamboat Road. A one-day pass to the show is \$15, and a multi-day pass is \$20. Children under 10 are admitted free. For more information, visit www.expoships.com.

Mark Borghi, who has galleries in Manhattan and Bridgehampton, N.Y., said when the art was brought onto the boat in Stamford, it was easy to load -- even heavy sculptures made of welded, painted steel by artist **John Chamberlain**.

"It's an interesting concept," said Borghi, who participated in the 2007 show. "It allows smaller communities like Greenwich the opportunity to see the work come to them. You don't have to go to Miami. You don't have to go to New York."

Greenwich Avenue's Manfredi Jewels teamed up with Israeli designer Yvel, known for her pearl jewelry. Yvel has done SeaFair shows before, according to **Duval O'Steen**, U.S. representative for the company. Instead of competing with Manfredi, which carries Yvel's designs, they decided to partner with the local retailer.

"Once you're on board, it doesn't feel like you're on a boat at all," O'Steen said. "But it's nice to come down to the harbor."

Other displays included fossil art from Green River Stone, based in Logan, Utah. Westport resident **Vivien Shahrabani** thought the murals, which include fossilized fish, were unusual, and was considering purchasing one.

"This is unique," Shahrabani said. "You really get the cream of the cream here."

Anna Kishelov and **Karen Lombness** of Royal Oak, Mich., timed a visit with their children, a married couple who live in Stamford, to coincide with the art show, which they read about online.

"They're working," Kishelov said. "We're having a good time here."

The women agreed that the setting was perfect for the artwork on display.

"There are yachts" in Michigan, Kishelov said, "but not like a museum."

Staff writer **Lisa Chamoff** can be reached at lisa.chamoff@scni.com or 203-625-4439.

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2:00 pm	Racing Starts 1 – 3	Racing Starts 4 – 6
3:30 pm	Racing Ends	Racing Ends Award Ceremony immediately following
4:00 pm	Dock-In Show Poster Signing	Dock-In Show Poster Signing
6:00 pm	Event Village Closes	Event Village Closes

Note schedule and timings are subject to final confirmation



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ATTACHMENT #8

KEVIN DAILEY

April 19, 2016

To the Stamford Planning Board

- RE:
1. ZB Appl. #215-02 - THE STRAND/BRC GROUP, LLC
 2. ZB Appl. #215-03 - THE STRAND/BRC GROUP, LLC, Amend GDP - Washington Blvd.:
 3. ZB Appl. #215-04 - SOUTHFIELD PROPERTY, LLC - Text Change
 4. ZB Appl. #215-05 - WATERFRONT OFFICE BUILDING, LP, Map Change:
 5. ZB Appl. #215-06 - SOUTHFIELD PROPERTY LLC and WATERFRONT OFFICE BUILDING, LP, 28, 46, 62, 68, and 78 Southfield Avenue - Special Exception and General Development Plans
 6. ZB Appl. #215-07 - SOUTHFIELD PROPERTY LLC and WATERFRONT OFFICE BUILDING, LP, 28, 46, 62, 68, and 78 Southfield Avenue - Final Site & Architectural Plans and Coastal Site Plan Review
 7. ZB Appl. #216-03 – Southfield Property, LLC – Text Change

My name is Kevin Dailey. At a previous hearing of the Planning Board I spoke on these very applications. During the October 22, 2015 meeting, except for a proposed zone change, you voted unanimously to recommend that all the rest be denied. The applications have not changed in any meaningful manner, nor should your recommendations! They should be denied again.

The Zoning law requires that viable water-dependent uses must be retained.

The Master Plan Policy 5C is explicit:

***“Any use that restricts the use of the harbor by recreational vessels should not be allowed”
(Eliminating the 14-acre yard restricts and reduces vital storage capacity)***

***“Existing water-dependent industrial uses are to be protected” “Retention of uncompromised boatyard services and facilities on this property [the 14 acre site] has been a goal of Stamford’s master plans ... and should continue to be a top priority”
(These applications materially change and eliminate services from the 14-acre site)***

“This Master Plan encourages the development of a full-service boatyard and marina for Stamford’s future”

(These applications do add a boatyard, but one that is designed to fail, and more importantly they remove a viable boatyard that fully served all the needs of Stamford’s boating market from small outboard boats up to mega yachts, with an emphasis on sailing yachts. The Davenport facility has an extreme bias toward smaller motorboats, ignoring Stamford’s large sailing yacht population.)

“Existing recreational boating and support facilities should be preserved and, when necessary, protected by public actions. ”

(By the admission of BLT, these applications are specifically aimed at the elimination of an existing and very viable recreational boating and support facility)

The BLT applications systematically undermine the core goals of the Stamford Master Plan when it comes to preserving and fostering boatyards, and the promoting of the uses of Stamford Harbor, as their plan is “designed to fail”.

I think you could label the amended plans as “Designed to Fail 2.0”. Everything that has been changed, added, or redone, has not changed any significant factors that demonstrate BLT’s long-term commitment to abiding by the Stamford Master Plan. In fact, these applications pave the way for NO Boatyards in Stamford at all. Their plan is to remove every control that Stamford has put in place to keep water dependent uses viable on Stamford Harbor. Once removed, they will quickly move to eliminate each and every one.

BLT has based all of their applications on false and faulty reports of the Stamford boating market. These reports have been proven to be inaccurate in repeated public hearings. In addition, they failed to produce the required documents such as a legitimate viability report of the Brewer’s operations on the 14-acre site, or the DEEEP comments on the elimination of water dependent uses on the 14-acre site. Both of these documents are threshold requirements on any of these applications. Strangely enough, in public testimony, the MarineTec consultant stated that she was instructed by Norman Cole (“and 3 to 4 other men in the room”) NOT to contact the Brewer’s people in any way. I find it hard to believe that any meaningful study of the viability of the boatyard operations on the 14-acre site could have been concluded without input from the operator of the yard, especially since the Brewer’s company has testified as to the extremely profitable operations they had there. Brewer’s also testified that they are very willing to provide full assistance to the City Consultant who has continued to not contact them even after disclosure that she was instructed not to. Without these required elements, it is strange that these applications are even being heard by the Zoning Board and referred on to the Planning Board. Since removing viable water dependent use from the 14-acres is in direct violation of the Stamford Master Plan, the Stamford Zoning laws and the Connecticut CAM Act, providing proof of this in their applications would automatically sink the applications, thus BLT will never produce these documents. Since they have not, and will not be provided, the Planning Board has no other option than to continue to recommend against the applications.

As an additional comment on the previous and amended plans you are looking at. There continues to be a potential for extreme fire danger to both the boats stored at the Davenport site and the apartments. They are both situated too close to each other! It is not inconceivable that someone in the apartment would cast out a lit cigarette off of a balcony, or out a window of an apartment, and it landing on a boat causing a fire! Or conversely a fire starts on a boat by other causes. Either situation puts extremely flammable boats (boats are built using petroleum products and wood, and are full of fuel) right next to the buildings and the lives of hundreds of people. As much as BLT has stated that the Fire Marshal has approved this situation, I hear rumors that this is untrue and that there has not been a meaningful or proper review of this by the Fire Marshal.

Nothing has changed in regards to the location being right next to a facility that produces tons of dust and dirt in the air. This will directly affect the viability of the site as a working boatyard.. “Designed to fail!”

All financial data provided to the Zoning Board on these applications has been kept from them by a non-disclosure agreement between BLT and the City’s consultant, thus the City has no way of knowing if a boatyard at Davenport is viable in the long term. Since the goals of the Master Plan are to provide long

term boating services in Stamford, the lack of verifiable data to support viability, the Davenport boat yard, the marina at the 14-acre site and the Magee Ave. boat storage applications should be denied.

The amended application does nothing to change the negative views of the Stamford Harbor Master that the Davenport site for fueling poses significant danger to recreational boaters and the safety of the commercial traffic operations. Since the last time you heard these applications, letters from tug boat operators have been found in City records that have supported the views of the Harbor Master that putting a boatyard and fueling at Davenport is dangerous. These, somehow by the efforts of BLT or City staff, have failed to be presented.

Under the Stamford Master Plan, there are specific properties (the 14-acres) that are encouraged to be protected and to be used only for boating uses. In fact the Zoning for the 14-acre property is restricted to be only used for marine related activities. The BLT applications seek to totally remove any meaningful Master Plan and Zoning law reference to Water Dependent Use (boating). They seek to turn Stamford's waterfront into condos, apartments, commercial buildings, and get rid of boating in Stamford. Nowhere in their applications will you find any reference to the "boatyard only" Zoning laws being moved or shifted to other specific properties or portions thereof. No, what you see is the planned complete elimination of these protections. Thus these applications fall into "Designed to Fail 2.0"!

I strongly urge you, as I have done before, to follow the Master Plan requirements that protect true water dependent uses and to maintain a quality of life for Stamford. Proper city planning would suggest that there be a balance between recreational facilities, marine businesses and uses, against more and more office buildings that are already overbuilt due to the high vacancy rate in Stamford. Fulfilling your duties will ensure that long into the future there will be boating facilities that allow all to enjoy the great harbor that Stamford is lucky to have.

Please recommend **AGAINST** these applications and find them **Inconsistent** with the Master Plan, as you did before.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Kevin Dailey', written over a horizontal line.

Kevin Dailey

Stamford Taxpayer

September 25, 2015 Stamford Advocate article:

The “Boatyard Designed to Fail”

“Designed to Fail”, is the heart of the plan by developer Building, Land and Technologies (BLT) for the proposed new boatyard at Davenport Landing.

Here is a bit of background: BLT has an agreement with the City of Stamford to maintain, “in perpetuity”, the boatyard on the former 14 acre Yacht Haven site in exchange for development concessions it received from the City on other parcels of land in the Harbor Point district also known in the zoning regulations as the SRD-S District. This agreement is still in place and is embodied in the Zoning laws of the City of Stamford and in the Zoning Certificate for the General Development Plan. BLT violated this agreement and the law by tearing the boatyard down in 2011 without permission from the Zoning Board. The Zoning Board issued a Cease and Desist order in 2012 requiring BLT, among other things, to submit a plan for a new boatyard with no diminution of services as required by the Zoning laws. BLT appealed this order to the Zoning Board of Appeals. The Zoning Board of appeals unanimously upheld the Zoning Board’s order. BLT then appealed the order to the Connecticut Superior Court. BLT and the City are currently litigating this appeal. Against all logic, the City has consented to “pause” the lawsuit to appease BLT pending action of the Zoning Board on BLT’s current applications!

Two years ago BLT presented a plan for a “replacement” boatyard that was approximately 3 acres in size on the landlocked parcel known as 205 Magee Ave. vs. the original 14 acres. It met with overwhelming disapproval from many sides because of its small size and the use of City land to gain access to the water. The plan was then amended to encompass approximately 6 acres. Half of this was City “park land” property offered via a proposed license from the City. The plan was actually voted on, and “disapproved” by the Planning Board during a meeting that was chaotic at best. It appeared that the Planning Board did not even realize they had voted and before anyone could actually bother to confirm and affirm the vote, BLT had withdrawn their proposal.

So here we are again with a less than 3-acre boatyard proposal from BLT, with about 3 acres of off-site storage and off-site slips under different management and no legal requirement whatsoever that the sites continue to be used as boatyards or a marina. BLT suggests that this is equal to, or even surpasses, the 14-acre Yacht Haven site. For what are supposed to be really smart developers, they sure are not good with math.... 3 plus 3 does not equal 14! No matter how they twist and manipulate the figures, it is impossible for two parcels of property totaling less than 6 acres to equal the capacity of 14 acres of waterfront property. What BLT is good at is deception. They are trying to look like knights in shining armor coming to the rescue with this latest boatyard plan, despite the fact that they are the villain’s that tore down the one they were supposed to keep.

Sorry for the long history lesson, and now to the point of my letter.... The boatyard “Designed to Fail”. BLT has presented a plan that has the boatyard placed on less than 3 acres of land, which was already proven by independent consultants to be too small to equal the old yard. This proposed boatyard is very inefficient and will have very limited capacity. They propose to add additional storage two miles away at 205 Magee Avenue, transporting boats all day long through residential and commercial areas including the Stamford Transportation Center. The route is not easy and with additional traffic from the new South End development and possible further development of the train station, the area is surely going to be a complete mess. So it will not only be inefficient for an operator to spend 30 minutes or

more transporting boats each direction, it will add congestion to the area when reducing congestion should be a priority for the City. The 205 Magee boat storage area will only be able to store small powerboats – not the clientele of the former 14-acre boatyard, which was mostly sailboats. In fact most small powerboats are stored on trailers at the owner's homes. Again, a boatyard "Designed to Fail", since there will not be demand for this service. The proposed 205 Magee "facility" will have no services such as water, electricity or bathrooms, so no work will be able to be done there. This further reduces any attraction a boat owner would have to store a boat there. BLT does not want to invest in infrastructure at this site since they don't really intend to use it as a boat storage facility for the long-term.

BLT proposes to use less than 3 acres of the 5.4 acre Davenport Landing site as a boatyard. The balance is proposed to be additional residential housing. Why would BLT not use the entire property where the boatyard is proposed if they were looking to build a successful boatyard business? Storing more boats there would certainly be more efficient than towing them back and forth to Magee Avenue. The reason is that by building residential units on half the property they make the boatyard less efficient and more likely to fail. They then already have half the residential properties in place, thus it sets the stage for a "failed boatyard" to be replaced with more housing. If you look at the site plan it is obvious where the second residential building will go. The streets are already laid out. Thus they achieve the outcome they want..... no more boatyard and more residential properties. Once the boatyard fails, BLT would most likely revert the Magee Avenue site to a commercial office building. All the while ignoring the agreement with the City to maintain a working boatyard on the 14-acre site. And worst of all, leaving Stamford without any working boatyard forever!

It was also recently revealed that BLT has required that an outside consultant hired by the City to review the boatyard plan sign a non-disclosure agreement regarding details surrounding the proposed plan and other data supplied by BLT. This is further evidence that a developer is running the City and not our elected officials and City Boards. So even if the consultant spots a "plan to fail", they will not be permitted to tell anyone... especially the City who hired them to evaluate BLT!

Do not be fooled for a second! BLT has no intention of creating a "boatyard of the future" or anything close. They are setting the stage such that any boatyard operation on their property will fail and will be quickly followed by non-water dependent uses. This is fully against what they promised, agreed to, and by the way, against the State of Connecticut law, and in particular, the Coastal Area Management Act!

Hopefully the Zoning Board, Planning Board and the State DEEP will see this for what it is, an illegal land grab and abuse of the citizens of Stamford and State of Connecticut. This latest plan needs to be completely rejected. Otherwise the City of Stamford will never have a boatyard again. Our elected officials have to push the court action to completion and collect the over \$1,000,000 in fines due to the City and citizens of Stamford. BLT needs to be "forced" to return the 14-acre boatyard immediately or face work stoppage on ALL projects within the entire boundaries of the SRD-S District General Development Plan. No other developer or citizen gets to violate the zoning laws and continue to build. Enough is enough! The City has to stand its ground and enforce its laws and regulations on even the biggest of developers, or it faces a slippery slope in the future where breaking the law is accepted as the norm. None of us want this, nor can we afford it financially or morally! Stamford's quality of life is under attack and this is unacceptable!

Kevin Dailey
Stamford Taxpayer



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
NEW ENGLAND DISTRICT, CORPS OF ENGINEERS
696 VIRGINIA ROAD
CONCORD, MASSACHUSETTS 01742-2751

March 28, 2012

Regulatory Division
CENAE-R-PEB
Application Number: NAE-2011-1919

28 Southfield 2011, LLC – Davenport Landing Dev.
c/o Triton Environmental, Inc.
Attn: William Heiple
385 Church Street
Suite 201
Guilford, Connecticut 06437

Dear Mr. Heiple:

This concerns your application, numbered as shown above, for a permit to remove deteriorated shoreline structures and debris, replace an existing stormwater outfall, retain/repair existing riprap shoreline and construct a marina consisting of four main docks with associated ramps, finger docks and piles. The comment period of the public notice, which described your proposal, has recently expired.

The enclosed correspondence was received in response to the notice. This is your opportunity to respond to those comments by giving us your proposed resolution or rebuttal. You may wish to contact the writer(s) directly to reach a mutual understanding.

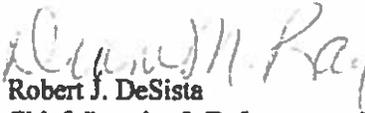
Please also respond directly to this office regarding email from the National Marine Fisheries Service which was previously forwarded to you.

Please respond in writing within 30 days from the date of this letter. If we do not hear from you by April 27 we will make our decision based on the information currently in our file.

You must also obtain a state approval and state water quality certification. No work within our jurisdiction may be started until you receive a permit signed by our District Engineer or his authorized representative.

If you have questions or wish to arrange a meeting, please contact Ms. Diane M. Ray of my staff at (978) 318-8831, (800) 343-4789 or (800) 362-4367 if calling from within Massachusetts.

Sincerely,


Robert J. DeSista
Chief, Permits & Enforcement Branch
Regulatory Division

Enclosure


Carter N/S Marine Trans. LLC
Sprague
K-Son Trans.
Cumbay Gigegates

AMBOY AGGREGATES

PO Box 1148, Bay Shore, NY 11706
Phone: 516-380-5227 Fax: 631-594-7600

PO Box 1148, South Amboy, NJ 08879
Phone: 732-525-0620 Fax: 732-525-9398

March 13, 2012

Ms. Diane M. Ray
US Army Corps of Engineers
New England District
696 Virginia Road
Concord, Massachusetts 01742-2751

Re: File Number NAE-2011-1919
Davenport Landing Development

Dear Ms. Ray:

If the Davenport landing Development is allowed to proceed with the proposed encroachment to the federal channel area, it will pose a very real safety issue for commercial units moving in and out of the West Branch of Stamford. The proposed docks are designed to be 40' from the federal channel and pleasure craft docked on the outside of those structures could extend to the channels edge. That is not a acceptable or safe situation for commercial vessels. Commercial marine traffic is not mandated to remain within the confines of state and federal channels. A safe and accepted method of transport operations by several maritime companies is, and has been, in existence in and around the federal channel in West Stamford for years. It would be ludicrous to build a daycare center on the shoulder of a highway used by heavy trucking but, in essence, this is what is being proposed here. Dock structures should not be allowed to encroach on the normal and established operation of these commercial vessels just because a developer sees the opportunity for financial gain. Developers Should not be permitted to create unsafe situations for mariners and the pleasure-boating public simply for profit. Development of coastal communities, with dockage, is a highly profitable industry but when applying for these permits no consideration is given for established, existing commercial traffic and the difficulty created for mariners to safely navigating around them.

Barging aggregate materials to Stamford eliminates the need to transport approximately 600,000 tons of aggregate over Connecticut roadways each year. This decreases traffic, saves the roadway infrastructure and decreases the cost of building materials to the area. Further restricting commercial vessels entering and exiting Stamford's West Branch will create more of a financial burden and ultimately hurt the community with higher costs.

The West Branch of Stamford is the location of one of O&G Industries' busiest docks. O&G Industries operates a concrete and asphalt facility just north of the proposed Davenport Landing Development site which we supply all of the natural sand used by tug and barge. We negotiate the federal channel with 360' long units to deliver our barges to that location. As you can imagine, we need ample clearance to turn the barges entering the area at the north end of the proposed development. There is a reason the north area of the federal channel is wider than the southern end. As the tugs and barges come past the existing "Stamford Landing Docks" the tugs need to steer the barges to starboard causing the tug's

stem to drift to port (towards the location of the proposed Davenport Landing Development). That puts the stern of the tug dangerously close to the proposed docks. Even if the tug clears the docks and pleasure craft in that area the quick-water from the tug making the turn tighter would certainly create a situation of concern, especially for small craft tied at the proposed site. Understand that commercial marine units, especially of that size, do not turn or stop easily. Our captains and crews are highly trained professionals and very capable, however, this proposed development will create a difficult situation even for them.

Adding to this are wind conditions, a common maritime concern, that can make it even more difficult to navigate past these proposed docks without incident. Windy conditions are a common occurrence along the shore of Connecticut and can be quite strong at times. Units of this type have a shallow draft when empty and act as giant sails in the wind with only the power of the tug to steer and control them.

Amboy Aggregates is vehemently opposed to this development moving forward without due consideration to existing maritime industry operations. Dockage for this development should be redesigned to accommodate safety between recreational boat docking and large commercial units traversing that waterway and should not be allowed to ultimately extend to the channels edge. The docks are presently designed to extend to within 40 feet of the channel and with boats docked at the outside of those docks it becomes very difficult for commercial vessels to maneuver through that area safely.

Please give serious and careful consideration to the content and concerns of this letter when deciding the fate of this issue.

Sincerely,

Anthony Masciana
Marine Operations Manager
Amboy Aggregates
sandnstone@msn.com

GREATER NY MARINE TRANSPORTATION, LLC

333 JACKSON AVENUE, SUITE 9, SYOSSET, N.Y. 11791

RWHITE4@OPTONLINE.NET

TEL: (516) 802-7126

FAX: (516) 812 -7125

Ms Diane M. Ray
US Army Corps of Engineers
696 Virginin Road
Concord, MA 01742-2751

RE: File Number NAE-2011-1919
Davenport Landing Development

Dear Ms. Ray,

I am writing to you on behalf of Greater NY Marine Transportation LLC. GNYMT is the company that provides Sprague Energy with the oil barges that transport heating oil from NY Harbor to their terminal in Stamford, Conn. Since this facility is not serviced by pipeline, GNYMT's barges are the sole source of supplying #2 heating oil to this area. We deliver barges to Sprague @ Stamford throughout the year, but obviously most of our deliveries occur during the winter months. During the winter, the prevailing winds in this area make it necessary for our tug & barge units to use the entire width of the West Branch of the approach to the Sprague petroleum dock. It is already extremely difficult to bring our equipment into the West Branch, due to the encroachment into the channel, from the pleasure craft that are docked at the Stamford Marina. The Davenport Landing Development plans on constructing docks designed to be 40' from the Federal Channel which will berth many pleasure boats especially on the outside slips which will encroach near or by the channel's edge. This will endanger the safety of our tugs and barges while transiting to the terminal. Considering the outcome of an accident causing an oil spill will endanger the wildlife and a phenomenal financial burden on all involved and the safety of personnel. In addition to the equipment, such as construction barges and extra tug boats etc. to be used in the proposed Davenport Landing Development Project, it would be turning an already difficult situation into a potentially dangerous one.

In the petroleum transportation, the most important aspect to be considered, before going ahead with any new project, is the safety of the environment in the pertaining area. The go ahead on the Davenport Landing Development is not in the best interest of this marine area. Thank you very much for the opportunity to put forth our observations regarding this matter.

Sincerely,

Linda Marra
VP Operations
Greater NY Marine Transportation LLC
516-652-0609



LARRY LAVERRIERE
DIRECTOR, TERMINAL OPERATIONS
SOUTHERN TERMINALS

March 19, 2012

US Army Corps of Engineers
696 Virginia Road
Concord, Massachusetts 01742-2751
Attn: Ms. Diane M. Ray

Subject: File Number NAE-2011-1919
Davenport Landing Development

Dear Ms. Diane M. Ray:

We are in receipt of your public notice, and care to add our public comment into the record. Sprague, based in Portsmouth, NH and founded in 1870 is the leading independent wholesale energy distributor in the Northeastern U.S. with more than 8 million barrels of storage capacity at 16 marine terminals. Our marine terminals provide critical heating, transportation, and industrial fuel supply to homes, businesses and industrial plants throughout the Northeast.

Sprague owns and operates a Marine Oil Terminal in Stamford, CT located on the West Branch of Stamford Harbor at 10 Water Street. This facility is an essential part of our network of terminals and currently serves the greater Stamford region. Over the last twelve months we have received more than 29 million gallons of heating oil into our facility via the West Branch to provide critical fuel supply to residential homes and businesses.

It is imperative that the West Branch remain open for commerce and maintains a commercial corridor through it to allow for the resupply of home heating oil for the thousands of customers that depend on it. As a throughput terminal, the facility operates in a similar manner to a public port providing economical waterborne transportation as an alternative to land transportation, removing thousands of trucks from congested roadways each year.

We have made and continue to make significant investments in our property over the last decade to ensure that our facility meets operational, customer and regulatory demands and continues to supply the vital resource of heating oil and diesel fuel to the consumer. This investment not only demonstrates our intent on remaining a major fuel supplier in the local and state economy but also to our commitment in maintaining an environmentally sound facility respecting the ecosystem around us.



LARRY LAVERRIERE
DIRECTOR, TERMINAL OPERATIONS
SOUTHERN TERMINALS

The Davenport Landing Development plan establishes recreational docks designed to be 40' from the federal channel. These docks would berth multiple pleasure crafts with some maintaining slips on the outside of the structures placing them into or very near the channels edge. Our barge company informs us of the rigors and dangers that they now navigate through to get product into our facility with a current marina already in existence across the channel from the proposed Davenport project. These evolutions are magnified during the winter as some of the pleasure crafts remain in their berths and the strong thrusts from the tugs can create a damaging environment for those crafts.

The commercial traffic which comes in to supply us with our inventory is carrying hazardous material needed for heating homes during the cold winters. By creating an environment where commercial vessels and docked pleasure crafts interact on a regular basis does not promote good maritime safety. Commercial vessels in other ports where this same scenario exists are on constant vigil and in some cases cannot go about their business, often times putting the marine entity out of business due to the lack of willingness to traverse the channel.

Thank you for taking into account our comments and our recommendation to reevaluate the proposed docking for the pleasure crafts. We suggest it be more restrictive in nature and back further from the federal channel way. Please let me know directly how I may offer any additional support with your evaluations.

Sincerely,

Larry L. Laverriere



March 16, 2012

Ms. Diane M. Ray
US Army Corps of Engineers
696 Virginia Rd
Concord, Massachusetts 01742-2751

**Subject: Comments on Davenport Landing Development and Harbor Point Development
NAE-2011-1919**

To Whom It May Concern:

K-Sea Transportation Partners LLC, is a leading provider of marine transportation services in the U.S. From our operations center in Staten Island, New York, K-Sea operates a large fleet of tugs and barges that serves a wide range of customers, including major aggregate suppliers, oil companies, oil traders and refiners in the greater New York – Long Island Sound region.

K-Sea Transportation offers the following comments in regard to the proposed Davenport Landing and Harbor Point Development project:

1. K-Sea Transportation services O&G Industries with aggregate, utilizing open hopper barges with an overall length of 360' and a breadth of 50'. Proposed construction impedes the safe navigation of commercial vessels entering and exiting the O&G Industries facility. O&G Industries is located on the West Branch to the north of the proposed construction and services aggregate barges. The proposed Davenport Landing Development will bring the edge of the piers 20' from the Federal Channel Line, and if pleasure craft are moored at that location the vessel will be very close if not over the channel line.
2. K-Sea Transportation also services Sprague Oil with #2 home heating oil utilizing a 28,000 barrel (1,176,000 gallon) barge with an overall length of 360' and a breadth of 54'. Due to the narrow channel the barges must be pushed ahead north and south bound. After the completion of the cargo operations, the 300' oil barge must be turned to exit Stamford Harbor. The Harbor Point Development will make it nearly impossible to turn the barges so that they can be pushed out. Development of this property will impede the safe navigation of these vessels.
3. Although K-Sea Transportation strives to operate our vessels in a safe and environmentally responsible manner, and shares the view of the public interest that the waterfront should be accessible to its residents, the proposed Davenport Landing docks and Harbor Point Development Docks will put both commercial and recreation vessels at risk of damage. It has the real potential to create an unsafe condition to conduct commercial operations to both O&G and Sprague.

We urge you to reconsider the development of both Davenport and Harbor Point docks, and allow for safe transit and mooring for both commercial and recreations vessels.

Thank you for the opportunity to comment on this matter.

Sincerely,



Captain Hyo "Marino" Hwang
NY Division Manager



K-Sea Transportation Partners LLC
One Tower Center Blvd. 17th Fl. • East Brunswick, NJ 08816
Telephone: 732-339-6100 • Facsimile: 732-339-6140



From: kevinsdailey@msn.com
To: ncole@ci.stamford.ct.us; dwood@ci.stamford.ct.us
Subject: Submission to Planning Board
Date: Thu, 21 Apr 2016 20:37:40 -0400

Dear Dr. Wood and Mr. Cole,

Please give these two documents to the Planning Board for review and submission to the hearings on the BLT applications now in discussions.

Regards,

Kevin Dailey

Updated by Kevin Dailey as of 4/21/2016

Comparison of Brewer Yacht Haven West in 2007¹ with BLT Boatyard/Marina Proposal

Description of feature	BYHW in 2007	BLT Proposal	Difference/ Comment
Acreage	14 acres	4.3 acres	70% reduction
Boatyard buildings	71,000 square feet	22,100 square feet	65% reduction
Full time work force	100 people	15 people	85% reduction
Slips	251 slips + 1600 linear feet of work/fuel dock (equiv. of another 50 slips)	220 slips at 14 acre site + 28 slips at Davenport, 30 linear feet of fuel dock, no work dock	29% + reduction
Parking	Virtually unlimited on almost 8 acres of area.	110 parking spots at marina, virtually none at Davenport	BLT proposal has inadequate parking. This makes the marina very unattractive to boat owners.

¹ 2007 is the reference year for Condition 7 of the Harbor Point GDP.

		in winter and none exclusive to Davenport during the summer.	
Winter storage indoors	29,000 square feet solely for storage. More available if counting indoor work sheds.	Maybe 10,000 square feet out of the 22,000 square feet total building	66% + reduction and no larger boats than 38' as any boats parked in service bay for storage negates work area.
Description of feature	BYHW in 2007	BLT Proposal	Difference/Comment
Travel lifts	2	1	50% reduction
Travel lift pits	2	1	50% reduction
Forklifts	2	1	50% reduction
Hydraulic trailers with tractors	2	1	50% reduction
Cranes	1 -30 ton	1	
Winter storage on land- capacity	Over 600 boats	205 reported, but Probably less in actual	65% reduction (minimum reduction)

Inside Winter storage Capacity	Over 60 boats up to 70ft	Up to 50 small, 38' maximum powerboats	No indoor storage for sailboats or large powerboats
Indoor mast storage	7,000 sq. ft.	0	100% reduction full elimination of this service
Container/trailer storage	More than 30	0	100% reduction full elimination of this service
Restroom and showers	2 heated buildings, each with his and hers facilities, with 2 or more showers each, 4 or more stalls each, 4-5 vanities	1 trailer at marina	50% + reduction at marina
Barbeques/picnic tables	5 bbqs and picnic tables plus large picnic area (grass)	0	100% reduction full elimination of this service
Sailboats	Approx. 80%	Unknown but Boatyard not designed for sailboats.	
Description of	BYHW in	BLT	Difference/Commen

feature	2007	Proposal	t
Propeller service	yes	no	100% reduction
Yacht Brokerage	2-3	1	
Electronics dealership	1	0	100% reduction
Paint booth	Suitable for sailboats and large power boats up to 70 feet	Not suitable for sailboats or large powerboats May be able to paint powerboats up to 35-40 feet without fly bridge.	Large reduction in service
Ships store	1	1	
Fuel docks	260 linear feet	30 linear feet	Inadequate fuel dock creates safety issues with boats waiting for fuel in channel.
Marine police	Yes	No	100% reduction
US Coast Guard aux	Yes	No	100% reduction
Boat detailing	Yes	No	100% reduction
Ownership	Under single	Ignoring	

	management of Brewers	Magee, 2 separate owner/managers	
Subject to dirt and dust from O&G	No	Yes	Disabling
Sailmaker	Yes	No	100% reduction
Fiberglass/Composite repair	Yes	?	
Do it yourself available	Yes	No	
New boat dealer	Yes	Yes but only Hinckley brand	
Marine refrigeration	Yes	No	100% reduction
Description of feature	BYHW in 2007	BLT Proposal	Difference/Comment
Rigging shop	Yes-2400 sq ft With specialized Navtec equipment	(no indoor space dedicated to mast storage) No Navtec	Rigging shop not specified in plans.
Canvas	Yes	No	100% reduction
Metal work	Yes	No	100% reduction
Indoor Battery	Yes	No	100% reduction

storage			
Wave attenuator	Yes, destroyed by storms after 2011	plan to repair	No plan submitted, thus it may render marina unusable
Outboard service	Yes	No	100% reduction
Carpentry shop	1000 sq ft full service facility	?	
Mechanic shop	1000 sq ft servicing dealer for over 12 engine manufacturers and ancillary equipment	?	

April 19, 2016

To the Stamford Planning Board

- RE:
1. ZB Appl. #215-02 - THE STRAND/BRC GROUP, LLC
 2. ZB Appl. #215-03 - THE STRAND/BRC GROUP, LLC, Amend GDP - Washington Blvd.:
 3. ZB Appl. #215-04 - SOUTHFIELD PROPERTY, LLC - Text Change
 4. ZB Appl. #215-05 - WATERFRONT OFFICE BUILDING, LP, Map Change:
 5. ZB Appl. #215-06 - SOUTHFIELD PROPERTY LLC and WATERFRONT OFFICE BUILDING, LP, 28, 46, 62, 68, and 78 Southfield Avenue - Special Exception and General Development Plans
 6. ZB App. #215-07 - SOUTHFIELD PROPERTY LLC and WATERFRONT OFFICE BUILDING, LP, 28, 46, 62, 68, and 78 Southfield Avenue - Final Site & Architectural Plans and Coastal Site Plan Review
 7. ZB Appl. #216-03 – Southfield Property, LLC – Text Change

My name is Kevin Dailey. At a previous hearing of the Planning Board I spoke on these very applications. During the October 22, 2015 meeting, except for a proposed zone change, you voted unanimously to recommend that all the rest be denied. The applications have not changed in any meaningful manner, nor should your recommendations! They should be denied again.

The Zoning law requires that viable water-dependent uses must be retained.

The Master Plan Policy 5C is explicit:

***“Any use that restricts the use of the harbor by recreational vessels should not be allowed”
(Eliminating the 14-acre yard restricts and reduces vital storage capacity)***

“Existing water-dependent industrial uses are to be protected” “Retention of uncompromised boatyard services and facilities on this property [the 14 acre site] has been a goal of Stamford’s master plans ... and should continue to be a top priority”

(These applications materially change and eliminate services from the 14-acre site)

“This Master Plan encourages the development of a full-service boatyard and marina for Stamford’s future”

(These applications do add a boatyard, but one that is designed to fail, and more importantly they remove a viable boatyard that fully served all the needs of Stamford’s boating market from small outboard boats up to mega yachts, with an emphasis on sailing yachts. The Davenport facility has an extreme bias toward smaller motorboats, ignoring Stamford’s large sailing yacht population.)

“Existing recreational boating and support facilities should be preserved and, when necessary, protected by public actions. “

(By the admission of BLT, these applications are specifically aimed at the elimination of an existing and very viable recreational boating and support facility)

The BLT applications systematically undermine the core goals of the Stamford Master Plan when it comes to preserving and fostering boatyards, and the promoting of the uses of Stamford Harbor, as their plan is “designed to fail”.

I think you could label the amended plans as “Designed to Fail 2.0”. Everything that has been changed, added, or redone, has not changed any significant factors that demonstrate BLT’s long-term commitment to abiding by the Stamford Master Plan. In fact, these applications pave the way for NO Boatyards in Stamford at all. Their plan is to remove every control that Stamford has put in place to keep water dependent uses viable on Stamford Harbor. Once removed, they will quickly move to eliminate each and every one.

BLT has based all of their applications on false and faulty reports of the Stamford boating market. These reports have been proven to be inaccurate in repeated public hearings. In addition, they failed to produce the required documents such as a legitimate viability report of the Brewer’s operations on the 14-acre site, or the DEEEP comments on the elimination of water dependent uses on the 14-acre site. Both of these documents are threshold requirements on any of these applications. Strangely enough, in public testimony, the MarineTec consultant stated that she was instructed by Norman Cole (“and 3 to 4 other men in the room”) NOT to contact the Brewer’s people in any way. I find it hard to believe that any meaningful study of the viability of the boatyard operations on the 14-acre site could have been concluded without input from the operator of the yard, especially since the Brewer’s company has testified as to the extremely profitable operations they had there. Brewer’s also testified that they are very willing to provide full assistance to the City Consultant who has continued to not contact them even after disclosure that she was instructed not to. Without these required elements, it is strange that these applications are even being heard by the Zoning Board and referred on to the Planning Board. Since removing viable water dependent use from the 14-acres is in direct violation of the Stamford Master Plan, the Stamford Zoning laws and the Connecticut CAM Act, providing proof of this in their applications would automatically sink the applications, thus BLT will never produce these documents. Since they have not, and will not be provided, the Planning Board has no other option than to continue to recommend against the applications.

As an additional comment on the previous and amended plans you are looking at. There continues to be a potential for extreme fire danger to both the boats stored at the Davenport site and the apartments. They are both situated too close to each other! It is not inconceivable that someone in the apartment would cast out a lit cigarette off of a balcony, or out a window of an apartment, and it landing on a boat causing a fire! Or conversely a fire starts on a boat by other causes. Either situation puts extremely flammable boats (boats are built using petroleum products and wood, and are full of fuel) right next to the buildings and the lives of hundreds of people. As much as BLT has stated that the Fire Marshal has approved this situation, I hear rumors that this is untrue and that there has not been a meaningful or proper review of this by the Fire Marshal.

Nothing has changed in regards to the location being right next to a facility that produces tons of dust and dirt in the air. This will directly affect the viability of the site as a working boatyard... “Designed to fail!”

All financial data provided to the Zoning Board on these applications has been kept from them by a non-disclosure agreement between BLT and the City’s consultant, thus the City has no way of knowing if a boatyard at Davenport is viable in the long term. Since the goals of the Master Plan are to provide long

term boating services in Stamford, the lack of verifiable data to support viability, the Davenport boat yard, the marina at the 14-acre site and the Magee Ave. boat storage applications should be denied.

The amended application does nothing to change the negative views of the Stamford Harbor Master that the Davenport site for fueling poses significant danger to recreational boaters and the safety of the commercial traffic operations. Since the last time you heard these applications, letters from tug boat operators have been found in City records that have supported the views of the Harbor Master that putting a boatyard and fueling at Davenport is dangerous. These, somehow by the efforts of BLT or City staff, have failed to be presented.

Under the Stamford Master Plan, there are specific properties (the 14-acres) that are encouraged to be protected and to be used only for boating uses. In fact the Zoning for the 14-acre property is restricted to be only used for marine related activities. The BLT applications seek to totally remove any meaningful Master Plan and Zoning law reference to Water Dependent Use (boating). They seek to turn Stamford's waterfront into condos, apartments, commercial buildings, and get rid of boating in Stamford. Nowhere in their applications will you find any reference to the "boatyard only" Zoning laws being moved or shifted to other specific properties or portions thereof. No, what you see is the planned complete elimination of these protections. Thus these applications fall into "Designed to Fail 2.0"!

I strongly urge you, as I have done before, to follow the Master Plan requirements that protect true water dependent uses and to maintain a quality of life for Stamford. Proper city planning would suggest that there be a balance between recreational facilities, marine businesses and uses, against more and more office buildings that are already overbuilt due to the high vacancy rate in Stamford. Fulfilling your duties will ensure that long into the future there will be boating facilities that allow all to enjoy the great harbor that Stamford is lucky to have.

Please recommend **AGAINST** these applications and find them **inconsistent** with the Master Plan, as you did before.

Respectfully submitted,

Kevin Dailey

Stamford Taxpayer

September 25, 2015 Stamford Advocate article:

The “Boatyard Designed to Fail”

“Designed to Fail”, is the heart of the plan by developer Building, Land and Technologies (BLT) for the proposed new boatyard at Davenport Landing.

Here is a bit of background: BLT has an agreement with the City of Stamford to maintain, “in perpetuity”, the boatyard on the former 14 acre Yacht Haven site in exchange for development concessions it received from the City on other parcels of land in the Harbor Point district also known in the zoning regulations as the SRD-S District. This agreement is still in place and is embodied in the Zoning laws of the City of Stamford and in the Zoning Certificate for the General Development Plan. BLT violated this agreement and the law by tearing the boatyard down in 2011 without permission from the Zoning Board. The Zoning Board issued a Cease and Desist order in 2012 requiring BLT, among other things, to submit a plan for a new boatyard with no diminution of services as required by the Zoning laws. BLT appealed this order to the Zoning Board of Appeals. The Zoning Board of appeals unanimously upheld the Zoning Board’s order. BLT then appealed the order to the Connecticut Superior Court. BLT and the City are currently litigating this appeal. Against all logic, the City has consented to “pause” the lawsuit to appease BLT pending action of the Zoning Board on BLT’s current applications!

Two years ago BLT presented a plan for a “replacement” boatyard that was approximately 3 acres in size on the landlocked parcel known as 205 Magee Ave. vs. the original 14 acres. It met with overwhelming disapproval from many sides because of its small size and the use of City land to gain access to the water. The plan was then amended to encompass approximately 6 acres. Half of this was City “park land” property offered via a proposed license from the City. The plan was actually voted on, and “disapproved” by the Planning Board during a meeting that was chaotic at best. It appeared that the Planning Board did not even realize they had voted and before anyone could actually bother to confirm and affirm the vote, BLT had withdrawn their proposal.

So here we are again with a less than 3-acre boatyard proposal from BLT, with about 3 acres of off-site storage and off-site slips under different management and no legal requirement whatsoever that the sites continue to be used as boatyards or a marina. BLT suggests that this is equal to, or even surpasses, the 14-acre Yacht Haven site. For what are supposed to be really smart developers, they sure are not good with math.... 3 plus 3 does not equal 14! No matter how they twist and manipulate the figures, it is impossible for two parcels of property totaling less than 6 acres to equal the capacity of 14 acres of waterfront property. What BLT is good at is deception. They are trying to look like knights in shining armor coming to the rescue with this latest boatyard plan, despite the fact that they are the villain’s that tore down the one they were supposed to keep.

Sorry for the long history lesson, and now to the point of my letter.... The boatyard “Designed to Fail”. BLT has presented a plan that has the boatyard placed on less than 3 acres of land, which was already proven by independent consultants to be too small to equal the old yard. This proposed boatyard is very inefficient and will have very limited capacity. They propose to add additional storage two miles away at 205 Magee Avenue, transporting boats all day long through residential and commercial areas including the Stamford Transportation Center. The route is not easy and with additional traffic from the new South End development and possible further development of the train station, the area is surely going to be a complete mess. So it will not only be inefficient for an operator to spend 30 minutes or

more transporting boats each direction, it will add congestion to the area when reducing congestion should be a priority for the City. The 205 Magee boat storage area will only be able to store small powerboats – not the clientele of the former 14-acre boatyard, which was mostly sailboats. In fact most small powerboats are stored on trailers at the owner’s homes. Again, a boatyard “Designed to Fail”, since there will not be demand for this service. The proposed 205 Magee “facility” will have no services such as water, electricity or bathrooms, so no work will be able to be done there. This further reduces any attraction a boat owner would have to store a boat there. BLT does not want to invest in infrastructure at this site since they don’t really intend to use it as a boat storage facility for the long-term.

BLT proposes to use less than 3 acres of the 5.4 acre Davenport Landing site as a boatyard. The balance is proposed to be additional residential housing. Why would BLT not use the entire property where the boatyard is proposed if they were looking to build a successful boatyard business? Storing more boats there would certainly be more efficient than towing them back and forth to Magee Avenue. The reason is that by building residential units on half the property they make the boatyard less efficient and more likely to fail. They then already have half the residential properties in place, thus it sets the stage for a “failed boatyard” to be replaced with more housing. If you look at the site plan it is obvious where the second residential building will go. The streets are already laid out. Thus they achieve the outcome they want..... no more boatyard and more residential properties. Once the boatyard fails, BLT would most likely revert the Magee Avenue site to a commercial office building. All the while ignoring the agreement with the City to maintain a working boatyard on the 14-acre site. And worst of all, leaving Stamford without any working boatyard forever!

It was also recently revealed that BLT has required that an outside consultant hired by the City to review the boatyard plan sign a non-disclosure agreement regarding details surrounding the proposed plan and other data supplied by BLT. This is further evidence that a developer is running the City and not our elected officials and City Boards. So even if the consultant spots a “plan to fail”, they will not be permitted to tell anyone... especially the City who hired them to evaluate BLT!

Do not be fooled for a second! BLT has no intention of creating a “boatyard of the future” or anything close. They are setting the stage such that any boatyard operation on their property will fail and will be quickly followed by non-water dependent uses. This is fully against what they promised, agreed to, and by the way, against the State of Connecticut law, and in particular, the Coastal Area Management Act!

Hopefully the Zoning Board, Planning Board and the State DEEP will see this for what it is, an illegal land grab and abuse of the citizens of Stamford and State of Connecticut. This latest plan needs to be completely rejected. Otherwise the City of Stamford will never have a boatyard again. Our elected officials have to push the court action to completion and collect the over \$1,000,000 in fines due to the City and citizens of Stamford. BLT needs to be “forced” to return the 14-acre boatyard immediately or face work stoppage on ALL projects within the entire boundaries of the SRD-S District General Development Plan. No other developer or citizen gets to violate the zoning laws and continue to build. Enough is enough! The City has to stand its ground and enforce its laws and regulations on even the biggest of developers, or it faces a slippery slope in the future where breaking the law is accepted as the norm. None of us want this, nor can we afford it financially or morally! Stamford’s quality of life is under attack and this is unacceptable!

Kevin Dailey
Stamford Taxpayer

ATTACHMENT #9

From: "Ortelli, Damian" <DOrtelli@StamfordCT.gov>

Date: April 15, 2016 at 7:18:08 PM EDT

To: "Dell, Theresa" <TDell@StamfordCT.gov>

Subject: Feedback on DL

Hi Terri,

It looks like we are not going to be able to get you guys official feedback on the DL application, I just couldn't put enough people together to make the review happen until after your meeting. Sorry! That said I can tell you we are focusing our interest on this in one way: do the modifications the applicant made carry enough weight to change what our initial findings were. We are trying avoid getting bogged down in the minutia and keep a global view of this. From what I have seen personally they have yet to comply with the economic viability study of the 14 acre site as a boatyard as a part of the allowance to move the site. They were first supposed to prove that the (BYHW) site could not support the boatyard any further to open the way to moving it to another location. I am going to listen to the applicants side of this to see if they can change my mind. Again sorry we couldn't be of more service in this, feel free to distribute to your board members if you think this would help in your review.

Yours in health,
Dr. Damian Ortelli

Chairman
Stamford Harbor Management Commission

From: Kevin Dailey <kevinsdailey@msn.com>

Date: April 21, 2016 at 10:06:36 PM EDT

To: "Norm Cole Zoning Board" <ncole@ci.stamford.ct.us>, "dwoods@stamfordct.gov" <dwoods@stamfordct.gov>

Subject: Additional letters to submit to Planning Board

Dear Mr. Cole and Mr. Woods,

Please find the attached letter for submission to the Stamford Planning Board.

The Stamford Harbor Management Commission has clearly stated that the updated plan does not meet the requirements. Please read the attached.

Regards,

Kevin Dailey

MAJORE
DAVID R. MARTIN



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

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DR DAMIAN ORTELLI

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STEVEN M. LOBB, ALTERNATE
MICHAEL PENSIERO, ALTERNATE

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,



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

MAYOR
DAVID R. MARTIN



CITY OF STAMFORD, CONNECTICUT
HARBOR MANAGEMENT COMMISSION

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DR DAMIAN ORTELLI

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GRIFFITH H. TROW

STEVEN M. LOEB, ALTERNATE
MICHAEL PENSIERO, ALTERNATE

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

Page 2

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 Ortell
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

ATTACHMENT #10

From: Regina Kirshbaum [mailto:regina@agabhumi.com]

Sent: Wednesday, April 20, 2016 2:23 PM

To: ncole@stamfordct.gov

Cc: John Freeman <JFreeman@harborpt.com>

Subject: Support for the Boatyard

Good Afternoon Norman,

This email is being sent to you to show our support for the Davenport Boatyard proposal. Good for the South End and good for Stamford!

Cheers

Regina and Michael Kirshbaum

ATTACHMENT #11

Dick Gildersleeve
PH 88 Southfield Ave
Crab shell
46 Southfield Ave

To:
David Woods
Norman Cole
April 20, 2016

Gentlemen:

I'm writing on behalf of Crab Shell, Stamford Landing, and my personal residence at Stamford Landing condos. I moved here in 1994 and we opened Crab shell in 1989 and have been waiting for over 27 years, thru Collins, Antares, and now BLT to see this South End reach its full potential.

Obviously I do "have a dog in this race" and know that this Hinckley Boatyard and new Apartments on Southfield Ave will have a positive effect on this neighborhood.

Crab Shell and future Prime will benefit positively from foot traffic of the Hinckley operation and the 200 plus proposed apartments within walking distance; plus the Boardwalk continuation to the Boatyard. Not to mention the improvements to Stamford Landing property itself which have been well received by the tenants who talk to us all the time. The new light fixtures alone are awesome and really brighten up the property in the evenings; and it's only one half completed.

The potential connection of the Boardwalk to Davenport as well as the connection of the Boardwalk from Bocozzi Park thru TGM, thru Baypointe, and Stamford Landing condos will create over one half mile of boardwalk connecting some 700 plus apartments as well as 89 Stamford Landing condos and will enhance and create a very vibrant neighborhood. Even the partial completion of the Stamford Landing parking lot is a much needed and welcome improvement.

I know your Board has requested and received much cooperation the BLT and I just hope you will find your way to approve this project and get it started again.

We very much need these improvements to this area and I believe BLT's vision should be rewarded by you supportive decision.

Regards,
Dick Gildersleeve

ATTACHMENT #12

From: Paul Norton [mailto:paulnortonmail@gmail.com]
Sent: Thursday, April 21, 2016 6:11 AM
To: Woods, David
Subject: Davenport Boatyard Support

Dear Mr. Woods,

As a long time and active boater, resident of the Waterside community and active in the marina industry, I am in a unique position to comment on the Davenport proposal.

As a boater, the proposal more than adequately meets the needs of the Stamford boating community and those boaters who will be increasingly drawn to Stamford as a premier boating destination.

As a resident of Waterside this proposal is a slam dunk to free up the fourteen acres for eventual development that can be an important economic driver for the city of Stamford. We have real challenges in this city and having more jobs is always, always better.

While new to the marina industry, I have visited hundreds of boatyards and believe the plan put forward is both viable and will be run by a first class operator.

As a boater, I have been without a boatyard for years now and it is time to allow me to have one in our community.

Sincerely,

Paul Norton
39 Dolphin Cove Quay
Stamford CT 06902



SlipShare

www.slipshare.com

Paul Norton
914-329-2544

ATTACHMENT #13

From: Jack Condlin [mailto:jcondlin@stamfordchamber.com]
Sent: Wednesday, April 20, 2016 5:11 PM
To: Cole, Norman
Cc: Woods, David
Subject: BLT modified Applications for Davenport Boat Yard, 405 Magee Ave, 14 Acre Site

Norman and David,

Unfortunately I was not able to attend last night's Planning Board meeting, which was held on the referral from the Zoning Board on the above captioned modified applications. I had to attend a Chamber function that conflicted. I understand that the Planning Board is allowing testimony to be submitted in writing prior to this Friday afternoon at 2 o'clock. Please accept the following comments in support of the revised applications submitted by BLT for the above captioned project.

The Stamford Chamber of Commerce has followed the Redevelopment of the South End and Waterside for the past two decades. Stamford Land Use Boards and all the appropriate City agencies can take pride on the redevelopment of these two very exciting areas of Stamford. Stamford is a model of smart growth and transit orientated development.

We have attended the Planning Board and Zoning Board meetings since the above captioned applications were submitted last year. We understand that this project was controversial with some people due to the loss of the boatyard. We have watched the Zoning Board and staff work diligently to achieve a compromise that would allow the citizens Stamford to have an appropriate boating facility and allow the redevelopment of the South End and Waterside to continue and position Stamford back as a growing city.

I will not go into the detail of the modifications because the Chamber's Development Committee has met with the applicant several times and we have attended the Zoning Board's many, many meetings as these compromises were being developed and worked out in details to address the concerns raised by the Zoning Board members.

It is time for this application and the City of Stamford to move forward with these modified applications. Stamford has suffered long enough with the continued delay of the redevelopment of the South End and Waterside. It is time to move forward.

We urge the Stamford Planning Board to please find these modified applications to be in compliance with Stamford's Master Plan.

Thank you.

Jack Condlin
President & CEO
(203) 359-4761
Stamford Chamber of Commerce

ATTACHMENT #14

From: kevinsdailey@msn.com
To: ncole@ci.stamford.ct.us; dwoods@stamfordct.gov
Subject: Additional submittal to Planning Board
Date: Thu, 21 Apr 2016 22:00:11 -0400

Dear Mr. Cole and Mr. Woods,

Please submit the attached letter from Mr. Rives Potts (President of the Brewer Group) and my comparison chart to the Planning Board for submission into the record, and for them to read in regard to the current BLT applications.

Sincerely,

Kevin Dailey

Rives Potts

November 22, 2015

VIA EMAIL and FIRST CLASS MAIL

Thomas Mills, Chairperson
Stamford Zoning Board
888 Washington Boulevard
Stamford, CT 06901
Tmills1122@gmail.com

**Re: Your request for information concerning services offered at BYHW
and as compared to the BLT Proposal.**

Dear Mr. Mills,

At the last Zoning Board hearing date on November 16, you asked me to put together a list of services that were offered by Brewer Yacht Haven West ("BYHW") on the 14 acre parcel and compare those, to the extent I can, to what is being offered by BLT as part of their plan to provide a "replacement boatyard". I am pleased to submit this letter into the record which complies with your request.

First, let me provide some preliminary comments. At BYHW we had, as you know, 14 acres of land to work with. The 14 acres is on a peninsula with deep water on three sides, 2300 feet of expansive water frontage and direct access to Stamford Harbor. This parcel may be the best parcel on the East coast for a boatyard. BYHW was managed by us in all respects, and we provided an integrated service with boat slips, winter boat storage on land inside and outside, and year round full boatyard services (as shown on Exhibit A) and fuel sales. We provided one stop shopping to the boat owner. There were approximately 100 full time workers on the site plus part time seasonal workers. The BYHW facility was extremely profitable and viable and would be so again if designed and managed appropriately.

On the other hand, the BLT proposal has at least two managers, one for the marina at the 14 acre site and another at the Davenport boatyard and no personnel at 205 Magee. The Davenport boatyard consists of 3 acres with 400 feet of water frontage and limited services. There is no reason to believe that the management of the marina and boatyard will work as a unified team, and thus the boat owners will not have the one stop shopping that they desire. The Davenport boatyard is too small to service many of the boats that the marina slips are

designed to accommodate. The proposed boatyard is located next to a gravel pit and cement factory which would make it impossible to paint, varnish or do engine work with all that dust. There are only 15 workers proposed. I believe the Davenport boatyard is not viable and "Designed to Fail".

The marina lacks adequate parking, storage for boat owners, convenient access to many of the boat slips by car, and proper bathrooms, showers and laundry facilities. Many large sailboat racing programs used BYHW as their home base with equipment trailers and ancillary vehicles. In addition, during large regatta weekends there often would be over 50 visiting boats with ancillary vehicles and crews of up to 20 people per boat. The work dock space was needed for these visiting yachts since all of the regular slips were fully occupied. This used most of the space on the 14 acre site and brought a tremendous amount of business to the Stamford area. The BLT proposal counts the work docks as slips so it would have no space for visiting yachts and there would not be adequate parking or room for the racing sailboats with their crews and equipment. The marina is not, in my opinion, designed in a manner that will attract high end boats and like the proposed Davenport boatyard is "Designed to Fail". BLT clearly does not want to be in the boatyard/marina business.

I have not considered the Magee Avenue part of the proposal in my comparison because, as I testified at the public hearing, it is "a joke". The plan is to keep it as is and as is, there are only a few boats there and a lot of Ford automobiles and trucks. There is no demand for this type of facility, and I believe it is thrown into the mix just to confuse the Zoning Board and misrepresent that additional boat storage is available when it really is not. This facility can only store small boats mostly on trailers. There is no waterfront access or dockage for bringing boats in by water. We did not have much of this type of business at BYHW since owners of small boats on trailers typically take them home.

You will see in my chart attached as Exhibit A that the BYHW offered many services and without question was considered a full service boatyard. The Davenport boatyard also claims to offer many services, but with its limited facility and with only 15 workers it really cannot be a full service boatyard capable of handling the demand of the Stamford market. For example, there are more than a dozen types of marine engines commonly in use by boats that would be stored in Stamford. In order to service these engines we have to send mechanics to schools to learn about these engines and also in many cases need to have specialized equipment. There will be no room for this equipment in the proposed facility and given the limited staff providing so many services there would not be adequately trained professionals to do the work. During normal times, the proposed facility and labor force at the Davenport site, would have difficulty servicing the routine demand of the boats in Stamford harbor. When a hurricane comes and the demand for services and protected land storage multiplies many times, with a limited time and space to accommodate, the Davenport facility would fall far short of the full service and

storage capability that was available at the BYHW facility on the 14 acre site. In the 3 days before Hurricane Irene hit New England in late August, 2011, BYHW hauled over 200 boats to protected land storage on the 14 acre site. The majority of these boats came from yacht club and marina mooring fields in western Long Island Sound. The 3 acre Davenport site would not be equipped with enough lifting capacity, nor manpower, nor land space to provide this critical emergency service for this many boats....not even close. Hinckley has already admitted that the proposed Davenport boatyard is not a full service boatyard and that boats would need to go their 15 acre site in Rhode Island for full service. I believe Hinckley is looking at this yard as a Hinckley dealership and not as a boatyard for Stamford.

As you will clearly see from the foregoing and the attached Exhibit A, the proposed replacement boatyard and marina is in no way comparable to what existed at the BYHW facility. There is a large reduction in capacity, facilities, uses and services. What is proposed is neither a full service boatyard nor a full service marina.

Respectfully submitted,



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Comparison of Brewer Yacht Haven West in 2007¹ with BLT Boatyard/Marina Proposal

Description of feature	BYHW in 2007	BLT Proposal	Difference/ Comment
Acreage	14 acres	3 acres	80% reduction
Boatyard buildings	71,000 square feet	22,100 square feet	69% reduction
Full time work force	100 people	15 people	85% reduction
Slips	251 slips + 1600 linear feet of work/fuel dock (equiv. of another 50 slips)	220 slips at 14 acre site + 28 slips at Davenport, 30 linear feet of fuel dock, no work dock	29% + reduction
Parking	Virtually unlimited on almost 8 acres of area.	110 parking spots at marina, virtually none at Davenport in winter and none exclusive to Davenport during the summer.	BLT proposal has inadequate parking. This makes the marina very unattractive to boat owners.
Winter storage indoors	29,000 square feet solely for storage. More available if counting indoor work sheds.	Maybe 10,000 square feet out of the 22,000 square feet total building	66% + reduction and no larger boats than 38' as any boats parked in service bay for storage negates work area.

¹ 2007 is the reference year for Condition 7 of the Harbor Point GDP.

Description of feature	BYHW in 2007	BLT Proposal	Difference/Comment
Travel lifts	2	1	50% reduction
Travel lift pits	2	1	50% reduction
Forklifts	2	1	50% reduction
Hydraulic trailers with tractors	2	? none listed	100% reduction
Cranes	1 -30 ton	1	
Winter storage on land- capacity	Over 600 boats	Probably less than 100 boats	83% reduction
Inside Winter storage Capacity	Over 60 boats up to 70ft	Up to 50 small, 38' maximum powerboats	No indoor storage for sailboats or large powerboats
Indoor mast storage	7,000 sq. ft.	0	100% reduction
Container/trailer storage	More than 30	0	100% reduction
Restroom and showers	2 heated buildings, each with his and hers facilities, with 2 or more showers each, 4 or more stalls each, 4-5 vanities	1 trailer at marina	50% + reduction at marina
Barbeques/picnic tables	5 bbqs and picnic tables plus large picnic area (grass)	0	100% reduction
Sailboats	Approx. 80%	Unknown but Boatyard not designed for sailboats.	

Description of feature	BYHW in 2007	BLT Proposal	Difference/Comment
Propeller service	yes	no	100% reduction
Yacht Brokerage	2	1	
Electronics dealership	1	0	100% reduction
Paint booth	Suitable for sailboats and large power boats up to 70 feet	Not suitable for sailboats or large powerboats. May be able to paint powerboats up to 35 feet without fly bridge.	Large reduction in service
Ships store	1	1	
Fuel docks	260 linear feet	30 linear feet	Inadequate fuel dock creates safety issues with boats waiting for fuel in channel.
Marine police	Yes	No	100% reduction
US Coast Guard aux	Yes	No	100% reduction
Boat detailing	Yes	No	100% reduction
Ownership	Under single management of Brewers	Ignoring Magee, 2 separate owner/managers	
Subject to dirt and dust from O&G	No	Yes	Disabling
Sailmaker	Yes	No	100% reduction
Fiberglass/Composite repair	Yes	?	
Do it yourself available	Yes	No	
New boat dealer	Yes	Yes but only Hinckley brand	
Marine refrigeration	Yes	No	100% reduction

Description of feature	BYHW in 2007	BLT Proposal	Difference/Comment
Rigging shop	Yes-2400 sq ft With specialized Navtec equipment	(no indoor space dedicated to mast storage) No Navtec	Rigging shop not specified in plans.
Canvas	Yes	No	100% reduction
Metal work	Yes	No	100% reduction
Indoor Battery storage	Yes	No	100% reduction
Wave attenuator	Yes, destroyed by storms after 2011	No plan to replace	Lack of wave attenuator renders marina unusable
Outboard service	Yes	No	100% reduction
Carpentry shop	1000 sq ft full service facility	?	
Mechanic shop	1000 sq ft servicing dealer for over 12 engine manufacturers and ancillary equipment	?	

Brewers Yacht Haven West 2007 occupancy:

Summer:				
	On land	Inside	In Slips	Totals
Under 30 feet	30		70	100
30-50 feet	40		120	160
Over 50 feet	5		15	20
Transients			60 (some on work docks)	60
Totals	75		265	340

Winter:				
	On land	Inside	In Slips	Totals
Under 30 feet	160	10	5	175
30-50 feet	290	40	50	380
Over 50 feet	25	12	5	42
Totals	475	62	60	597

It should be noted that approximately 80% boats at BYHW were sailboats.

Updated by Kevin Dailey as of 4/21/2016

Comparison of Brewer Yacht Haven West in 2007¹ with BLT Boatyard/Marina Proposal

Description of feature	BYHW in 2007	BLT Proposal	Difference/ Comment
Acreage	14 acres	4.3 acres	70% reduction
Boatyard buildings	71,000 square feet	22,100 square feet	65% reduction
Full time work force	100 people	15 people	85% reduction
Slips	251 slips + 1600 linear feet of work/fuel dock (equiv. of another 50 slips)	220 slips at 14 acre site + 28 slips at Davenport, 30 linear feet of fuel dock, no work dock	29% + reduction
Parking	Virtually unlimited on almost 8 acres of area.	110 parking spots at marina, virtually none at Davenport	BLT proposal has inadequate parking. This makes the marina very unattractive to boat owners.

¹ 2007 is the reference year for Condition 7 of the Harbor Point GDP.

		in winter and none exclusive to Davenport during the summer.	
Winter storage indoors	29,000 square feet solely for storage. More available if counting indoor work sheds.	Maybe 10,000 square feet out of the 22,000 square feet total building	66% + reduction and no larger boats than 38' as any boats parked in service bay for storage negates work area.
Description of feature	BYHW in 2007	BLT Proposal	Difference/Comment
Travel lifts	2	1	50% reduction
Travel lift pits	2	1	50% reduction
Forklifts	2	1	50% reduction
Hydraulic trailers with tractors	2	1	50% reduction
Cranes	1 -30 ton	1	
Winter storage on land- capacity	Over 600 boats	205 reported, but Probably less in actual	65% reduction (minimum reduction)

Inside Winter storage Capacity	Over 60 boats up to 70ft	Up to 50 small, 38' maximum powerboats	No indoor storage for sailboats or large powerboats
Indoor mast storage	7,000 sq. ft.	0	100% reduction full elimination of this service
Container/trailer storage	More than 30	0	100% reduction full elimination of this service
Restroom and showers	2 heated buildings, each with his and hers facilities, with 2 or more showers each, 4 or more stalls each, 4-5 vanities	1 trailer at marina	50% + reduction at marina
Barbeques/picnic tables	5 bbqs and picnic tables plus large picnic area (grass)	0	100% reduction full elimination of this service
Sailboats	Approx. 80%	Unknown but Boatyard not designed for sailboats.	
Description of	BYHW in	BLT	Difference/Commen

feature	2007	Proposal	t
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Yacht Brokerage	2-3	1	
Electronics dealership	1	0	100% reduction
Paint booth	Suitable for sailboats and large power boats up to 70 feet	Not suitable for sailboats or large powerboats May be able to paint powerboats up to 35-40 feet without fly bridge.	Large reduction in service
Ships store	1	1	
Fuel docks	260 linear feet	30 linear feet	Inadequate fuel dock creates safety issues with boats waiting for fuel in channel.
Marine police	Yes	No	100% reduction
US Coast Guard aux	Yes	No	100% reduction
Boat detailing	Yes	No	100% reduction
Ownership	Under single	Ignoring	

	management of Brewers	Magee, 2 separate owner/managers	
Subject to dirt and dust from O&G	No	Yes	Disabling
Sailmaker	Yes	No	100% reduction
Fiberglass/Composite repair	Yes	?	
Do it yourself available	Yes	No	
New boat dealer	Yes	Yes but only Hinckley brand	
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Canvas	Yes	No	100% reduction
Metal work	Yes	No	100% reduction
Indoor Battery	Yes	No	100% reduction

storage			
Wave attenuator	Yes, destroyed by storms after 2011	plan to repair	No plan submitted, thus it may render marina unusable
Outboard service	Yes	No	100% reduction
Carpentry shop	1000 sq ft full service facility	?	
Mechanic shop	1000 sq ft servicing dealer for over 12 engine manufacturers and ancillary equipment	?	