

DEEP HEARING
205 MAGEE AVENUE

SUBMITTED BY CYNTHIA REEDER
FEBRUARY 6, 2013

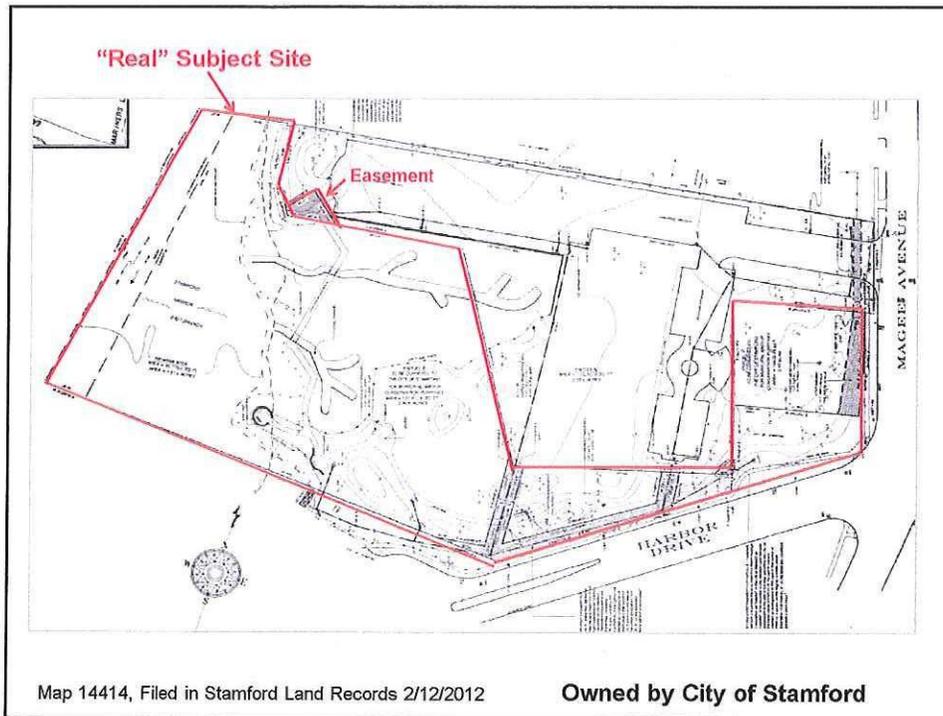
APPLICATION SHOULD BE REJECTED

1. Applicant does not meet the most fundamental requirement: Land ownership
2. Applicant provided false information about current and future rights to the property
3. Applicant misrepresented City's consent to perform proposed activities

RECEIVED

FEB 06 2013

DEPARTMENT OF ENVIRONMENTAL PROTECTION
OFFICE OF ADJUDICATIONS



DEEP REQUIREMENTS

- Application, Part II
 - **1 (b) If the applicant is not the owner, submit written permission from the owner as attachment B.**
- NOI Checklist:
 - **"...permission to use the City's property for this purpose is required before DEEP can continue processing application."**
- NOI Letter:
 - **The information requested above must be submitted to the Department within 30 days of the date of this letter or the application will be rejected.**

APPLICANT PROVIDED FALSE AND MISLEADING INFORMATION

- John Freeman Dec. 13, 2012 email correspondence to Kristen Bellantuono:
 - *Please find attached the agreement with City consenting to out (sic) application to DEEP and agreeing to grant property rights.*
 - Attached undated "Letter of Intent" signed by Mayor Michael Pavia and Carl Kuehner, undated; resubmits with Dec. 13, 2012 date
- Modified page of application report on Dec. 14th to say:
 - *"The applicant worked with the City to obtain rights to allow the proposed activities on and adjacent to their properties."*
- In response to Dec. 20 email from Brian Thompson Mr. Freeman writes:
 - *Brian – per the LOI I submitted to Kristen the City has consented to the application and agreed to negotiate an easement. I assume that is enough ...*

MAYOR DOES
NOT HAVE
AUTHORITY
TO TRANSFER
LAND
RIGHTS

Stamford City Charter Sec. C6-120-3

- No property consisting of more than 20,000 square feet owned by the City and used for park purposes may be sold or otherwise transferred except after approval for such sale or transfer by public referendum.
- Property consisting of 20,000 square feet or less, owned by the City and used for park purposes may be sold or otherwise transferred after written approval of the Mayor, the Planning Board, the Board of Finance and by a two-thirds vote of the entire membership of the Board of Representatives.
- ...the City shall provide comparable replacement land at least equal in value and per unit area size to the value and per unit area size of the land taken

NO PROOF OF CONSENT TO PERFORM WORK

- Approval and permitting of proposed activities has not even begun – for City's property or applicant's
- Approvals needed:
 - Master Plan Change
 - Planning Board
 - 3 Zoning Applications: CAM, Special Exception, Site Plan Review
 - At a minimum: EPB, Engineering, Planning Board, Zoning Board, Harbor Commission
 - Public hearing
 - Transfer of park land
 - Public hearing
 - Planning Board, Board of Finance, Board of Representative, public referendum for more than 20,000 square feet

APPLICANT PROVIDED MISLEADING INFORMATION

- "I have personally examined and am familiar with the information submitted in this document and all attachments ... I certify that ...submitted information is true, accurate and complete to the best of my knowledge and belief.
- "I understand that a false statement in the submitted information may be punishable as a criminal offense, in accordance with section 22a-6 of the General Statutes, pursuant to section 53a-157b of the General Statutes, and in accordance with any other applicable statute."

Signed by:

Mr. Carl Kuehner, CEO

Mr. John Freeman, General Counsel

NO LETTER OF SUFFICIENCY

DEEP permitting process:

1. Receipt of application
2. Sufficiency determination
 - Notice of sufficiency or
 - Notice of insufficiency
3. Applicant responds to NOI
4. 2nd Sufficiency determination
 - Notice of sufficiency or
 - Rejection for insufficiency
5. If sufficient, technical review
6. Tentative determination
7. Public hearing, as required
8. Decision to grant or deny permit

APPLICATION SHOULD BE REJECTED

1. Applicant provided no proof of rights to City property
2. Application has no consent from City to perform work
3. Applicant did not meet conditions of application or NOI

Stamford's newest park opens, with no name

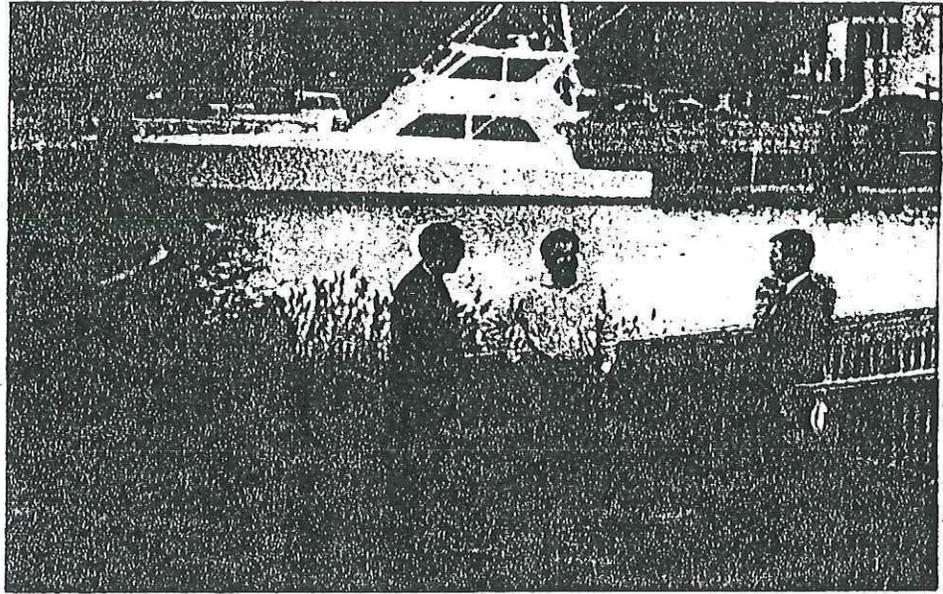
By Jeff Morganteen
Staff Writer

STAMFORD — Mayor Dannel Malloy yesterday opened the city's newest park, an unnamed 4.78-acre waterfront parcel at 205 Magee Ave., most of it protected tidal wetlands.

The park has walking paths, benches that overlook boats moored at Czeskik Marina, a central gazebo, a boardwalk raised over the shore and a tree-dotted, landscaped strip facing Harbor Drive.

The property cost \$500,000, and the park was built over nine years, after ownership changed and the site was remediated to meet state Department of Environmental Protection standards.

"This has been a long time coming," Malloy said before cutting a ribbon to open the park. "For those of us who grew up in Stamford, this was an industrial site. After its industrial use, it was kind of laid to waste, and you can



Chris Provoles/Staff photo

Stamford Director of Operations Ben Barnes, left, City Engineer Louis Casolo, center, and John Freeman, an attorney for Antares, talk yesterday after a ribbon-cutting ceremony for a new 4.78-acre park at 205 Magee Ave. in Stamford.

now appreciate what we've done."

The land was owned by Cytec Industries, followed

by Collins Enterprises. The city in 1999 agreed to buy a 4.78-acre portion for a park at \$500,000. Of

that amount, \$325,000 came from a state open-space grant, and \$125,000 was Please see **PARK**, Page A4

Park

Continued from Page A1

from city capital funds, said Ben Barnes, city director of operations.

In 2001, the city agreed to buy the land from Collins when it received the state grants.

Collins planned to build a 150,000-square-foot office complex, but Shippan residents fought it and won, said state Rep. Gerald Fox III, D-Stamford, who was on the Board of Representatives when the plan was introduced.

"There was a lot of opposition to the initial plan, but then we tried to work a compromise where you save a significant portion of the waterfront," Fox said.

Cytec paid for landscaping, environmental remediation and structures, said Tom Cassone, Stamford's director of legal affairs, who negotiated the agreement.

"The remediation is essentially what took so long," Cassone said. "It took a really, really long time."

Antares Investment Partners of Greenwich, which is developing 82 acres on the South End in a \$3.5 billion

Log On
What would the city call its newest park?
Comment on this story at
www.stamfordadvocate.com

project, has authorization to build a 75,000-square-foot office building at the same address as the park. Antares owns the upland portion of the original site but has not announced construction plans, said John Freeman, the developer's general counsel.

"We're focusing all our plans on Harbor Point," Freeman said, referring to the South End project.

Construction of the park was completed last year, but the grass, trees and other plants were given a year to grow, Barnes said.

Bob Unnold, a longtime member of the Shippan Point Association, said he opposed the initial office park mainly because he thought it would increase traffic. Unnold and other association members said they are pleased part of the land is being used for a park and that the proposed office building is much smaller.

page 1

ORIGINALLY SLATED TO BE PUBLIC PARK

Boatyard site's murky history

By Elizabeth Kim

STAMFORD — Overgrown with weeds, the roughly 4,200-square-foot strip of waterfront land that the city owns in front of the East Branch of Stamford Harbor at 205 Magee Ave. would seem to be an oddly located, inconsequential property that has been neglected and overlooked.

But according to city documents, the parcel that has now become a critical chess piece in the battle to develop the South End

waterfront was purchased to fulfill a very specific urban planning goal — to create a public park and waterfront walkway.

As developer Building and Land Technology sets its sights on securing rights to a municipally-owned property for a proposed boatyard, the story behind how the city came to purchase a small but critically located parcel in Shippan is raising new questions about negotiations with the developer as well as how far back city officials knew of the proposed development.

The call for the city to buy the land at 205 Magee Ave. came from none other than former Mayor Dannel P. Malloy.

Back in 1999, Malloy found himself once again caught between a high-profile developer and a community vigorously opposed to the project. Developer Collins Enterprises wanted to build an office on the eight-acre site that was owned by American Home Products, formerly known as American Cyanamid.

See Boatyard on A10

Boatyard site was slated to be park

Continued from A1

Residents in Shippan, who carried considerable political clout, said the project was out of scale with the neighborhood and would generate too much traffic.

Ultimately, Malloy stepped in and brokered a deal: Collins would scale back its office building and the city would use a state grant to help purchase five of the eight acres at 205 Magee Ave. The land would then be transformed into a public

park that would be designed and built by Collins.

Moreover, in keeping with a planning effort to increase public access along its waterways, the city would use parts of the property along the waterfront to build a public walkway connecting neighboring Czescik Marina with other city properties to the north.

In 1999, the Board of Representatives approved Malloy's request to purchase the property for \$500,000. Of

that sum, \$325,000 would come from a state grant intended for the creation of open space.

The park officially opened in 2008, with city officials trumpeting the outcome. A once contaminated industrial site now featured a restored salt marsh, gazebo and benches as well as a raised boardwalk over the water. Yet one touted component — the proposed waterfront walkway to be constructed in front of the property owned by Collins — never materialized. The area was fenced off, but never made into a public path. According to Norman Cole, the city left the area untouched because there had been talk about SoundWaters, a nonprofit that runs environmental education programs, using the site to establish a sailing school.

In the end, Collins abandoned the office project. Antares, a Greenwich developer that had laid out the blueprint for Harbor Point, acquired its portion of 205 Magee Ave., a landlocked 3.5-acre parcel. In 2008, BLT inherited the property as part of a large takeover of Antares' development interests.

The property was largely forgotten until last summer, when after an escalating battle with the city over the dismantling of a boatyard in the South End, BLT proposed building a replacement boatyard at 205 Magee Ave. If approved, the project would set the table for a plan backed by Gov. Malloy to redevelop the South End waterfront into an office headquarters for hedge fund giant Bridgewater Associates. In December, BLT obtained a letter of intent from the city for rights to negotiate for the property fronting the harbor as well as to include it in its development plans.

That the city can deal away a piece of land once designated as part of a park is predicated on one important fact: Stamford has to date never tapped into the 2001 state grant that was supposed to be used to buy the land.

According to David Stygar, who administers Connecticut's open space grant program on behalf of the Department of Energy and Environmental Protection, the city made one attempt to access the money in 2007, presumably around the time the park was completed. But state officials noticed several



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NOTICE OF INSUFFICIENCY

December 13, 2012

Waterfront Magee, LLC
c/o John Freeman
100 Washington Blvd., Suite 200
Stamford, CT 06902

Re: Permit Application #201207377-KB, Stamford Boat Works
205 Magee Avenue, Stamford, CT

Dear Mr. Freeman:

Your application for a permit to install a travel lift, floating docks and conduct dredging for installation of a boatyard and rack storage facility was received by the Department of Energy and Environmental Protection ("Department") on November 30, 2012. Your application has been preliminarily reviewed and has been deemed insufficient for processing. Your application is insufficient because it does not contain the information indicated on the attached addendum.

The Department will not process your application until the requested information has been received and determined to be complete. The information requested above must be submitted to the Department within 30 days of the date of this letter or the application will be rejected in accordance with 22a-3a-2(e) of the Regulations of Connecticut State Agencies. Please be aware if your application is rejected for insufficiency, and you wish to pursue authorization to conduct regulated work at this site, it will be necessary for you to submit a new application to the Department. Additionally, the permit application fee submitted with the above-referenced application cannot be applied to any subsequent application.

If you satisfactorily complete the file, we will conduct a review of your application for consistency with applicable statutory standards and policies. If the proposal is determined to be consistent, we will publish a Notice of Tentative Determination to Approve in the newspaper. If the proposal is determined to be inconsistent, we will provide you with an opportunity to withdraw before we publish a Notice of Tentative Determination to Deny in the newspaper. Please be aware that there will be no opportunity to submit revisions to address the inconsistency of your proposal. If your application is determined to be inconsistent, you can withdraw the application to avoid the cost of publication of the Notice of Tentative Determination to Deny. If your application is not processed, whether due to withdrawal or denial, and you wish to pursue authorization to conduct regulated work, I strongly suggest that you contact me at 860-424-3917 or at kristen.bellantuono@ct.gov to arrange a pre-application meeting. Pre-application coordination with the Office of Long Island Sound Programs ("Office") is integral to your submission of a complete application that is consistent with all applicable standards and policies. Applications that are complete and consistent may be processed rapidly.

Notice of Insufficiency Checklist
Application #201207377-KB

December 13, 2012

Additionally, in accordance with Connecticut General Statutes ("CGS") section 22a-361(a), the Department is required to charge, in advance, an initial non-refundable permit application fee with the submission of an application. The permit application fee is calculated by this Office based on the perimeter of the water surface area used or occupied by the project as depicted on the application plans. The initial \$660.00 payment is then credited to the calculated fee and any balance is due and payable in accordance with the attached invoice. Please be aware that once the application fee is deposited, it cannot be refunded even in the event of modification or reduction of the scope of the project or withdrawal of the application.

Based on the plans provided, the balance of the fee is \$5,688.83. Payments are preferred in the form of a certified check, cashier's check or money order, although personal checks are acceptable. All payments must be made payable to the "Department of Energy and Environmental Protection," should include your application identification number on the check, and should be forwarded to the Department in accordance with the instructions on the attached invoice. In order to consider the application and maintain it as an active file, the application fee must be received at the Department by the date identified on the invoice otherwise the file will be rejected for insufficiency.

Please be advised that undertaking any work waterward of the high tide line or in tidal wetlands without the required state authorization is a violation of the law and is subject to enforcement proceedings, including penalties, outlined under Chapter 439 and sections 22a-361a, 22a-363 and 22a-35 of the CGS.

Sincerely,



Kristen Bellantuono, Environmental Analyst II
Office of Long Island Sound Programs
Bureau of Water Protection and Land Reuse

Enclosure – Checklist, Fee invoice

cc: Bill Heiple, Triton Environmental Inc.

Craig Lapinski, Fuss and O'Neil, Inc.

Nelson Tereso, DECD

File #201207377-KB

US ACOE (PGP), Diane Ray

Notice of Insufficiency Checklist
Application #201207377-KB

Notice of Insufficiency Checklist

The items in this outline correspond to the numbering system of the permit application form (DEEP-OLIS-APP-100). Please refer to the corresponding section of the application instructions for guidance regarding the required information. Please submit the following materials, on revised application pages, to this office at the following address:

DEEP-Office of Long Island Sound Programs
ATTN: Kristen Bellantuono
79 Elm Street
Hartford, CT 06106-5127

Section	Missing	Incomplete
Part I: Permit Type and Fee		
Type of Permit		
Permit Fee		
Part II: Applicant Information		
1. Applicant name		
a. Applicant Type		
b. Applicant's interest in property		
2. Billing Contact information		
3. Primary Contact information		
4. Site Owner		Please note that DEEP is aware that the waterfront portion of the project site is owned by the City of Stamford. In your application materials, you indicate that the applicant is working with the City to obtain rights to allow the proposed activities on and adjacent to their properties. An easement or other documentation of permission to use the City's property for this purpose is required before DEEP can continue processing this application.
5. Facility Owner		
6. Attorney information		
7. Engineer/Consultant information		
8. OLISP staff pre-app		
Part III: Project Info		
1. Description of Proposed Work		
2.a. Construction Methodology/Sequencing		Please provide more detailed information with regard to the construction methodology proposed with each aspect of the proposed project. Section 3.6 of the application material is rather vague and does not provide the level of detail required for this complex project. More specifically, can you provide a more in-depth discussion of the construction methodology for the installation of the bulkhead, travel lift and the dredging.
2.b. Erosion and sediment controls		
2.c. Construction Time		
3. Purpose/Use of Proposed Project		
4. Coastal/Aquatic Resources on Site		Please submit a copy of any tidal wetland delineation/report prepared for the project site or describe how the wetlands were delineated and by whom.
5. Potential Resource Impacts		A more appropriate proposed mitigation for the approximately 500 sf of tidal wetlands impacts is needed. Appropriate mitigation should include enhancement activities within the marsh that provide long-term benefit, for example, cleaning the main ditch/channel, installing a new channel, and lowering the

Notice of Insufficiency Checklist

Application #201207377-KB

		surrounding grades adjacent to the channel to lessen the amount of phragmites in the area.
6.a. Potential Benefits/Impacts to Navigation		
6.b. Potential Benefits/Impacts to Public Access		
7. Water-dependent Use Narrative		
8. Potential Impacts to Water-dependent Use		
9. Alternatives Discussion		On page of 18 of 20 of your application materials, you indicate that Waterfront Magee plans to dispose of the dredged material upland (in NJ), but if the project schedule allows and cap material is available, the material may be disposed at CLISDS). Please note that due to the contaminant levels found in the composite samples taken, toxicity testing will be required and this material will not be able to be disposed of at CLIS without written approval from the Commissioner. Has this testing been conducted?. If so, please provide a copy of the results of this testing.
10. Acceptability of Project		
11.a. Completed Work		
11.b. Detail of completed work		
11.c. Date of work		
11.d. Property purchase date		
11.e. Ownership when work completed		
11.f. Awareness of work		
11.g. Pending Enforcement Action		
12. Federal funding		
Part IV: Site and Resources		
1. Facility Name/Location		
2. Indian Lands		
3. Coastal Area		
4. Endangered Species Area		
5. Aquifer Protection Area		
6. Shellfish Commission		
7. Harbor Management Commission		
8. Department of Agriculture/Aquaculture		
9. Conservation/Preservation Restriction		
10. Previous Authorizations		
11. Changes in Conditions on Site		
12.a. Municipal Zoning Classification		
12.b. Existing Land Uses on Site		
13. Name of Waterbody		
14.a. Tidal Elevations/Datum		
14.b. Tidal Elevation Determination		
15. Osprey Platforms		
Part V: Supporting Documents		
Attachment A – Executive Summary		
Attachment B – Permission from Owner	X	Please refer to part 2 number 4 above.
Attachment C – CT NDDDB Form		
Attachment D – Shellfish Consultation Form		
Attachment E – Harbor Management Form		
Attachment F – Dept of Ag/Aquaculture Form		Based on the comments and letter attached to the DA/BA consultation form, have you had any discussions with David Carey?
Attachment G – Cons./Pres. Information		
Attachment H – Compliance Information		

Notice of Insufficiency Checklist
Application #201207377-KB

Attachment I – Project Plans	X	Please provide an original A2 survey of the project site which includes a raised seal. Please provide an 11" x 17" or 24" x 36" size of Figure 4 to more clearly show the extent and type of wetlands found on-site.
Attachment J – Existing Conditions Photographs		
Attachment K – Adjacent Property Contacts		
Attachment L – Applicant Background Info		
Attachment M – Other		Please provide this office with the provisions of and maintenance procedures for the proposed pump-out facility and provisions for disposal of waste.
Attachment N – Corps Consultation Form	X	No formal ACOE consultation form was included in the application submittal.
Part VI Applicant Certification		
Applicant Signatures/Date		
Preparer Signatures/Date		
Notice of Permit Application (see Application Instructions pages 3 and 4 of 29)		
Affidavit of Publication		
Certification of Notice Form – Notice of Application		

Cynthia Reeder

From: Bellantuono, Kristen [Kristen.Bellantuono@ct.gov]
Sent: Tuesday, January 15, 2013 9:14 AM
To: 'Cynthia Reeder'
Subject: FW: 205 Magee - City agreement re property rights
Attachments: 20121213153222005.pdf

-----Original Message-----

From: John Freeman [mailto:JFreeman@harborpt.com]
Sent: Thursday, December 13, 2012 3:42 PM
To: Bellantuono, Kristen
Cc: William Buckley; 'William Heiple'
Subject: 205 Magee - City agreement re property rights

Kristen - in response to your comment. Please find attached the agreement with City consenting to out application to DEEP and agreeing to grant property rights. Let me know if you have any questions
John

John D. Freeman
Harbor Point Development
100 Washington BLVD - Suite 200
Stamford, CT 06902
(203) 644-1585 - phone
(203) 644-1599 - fax

-----Original Message-----

From: Copier2@bltooffice.com [mailto:Copier2@bltooffice.com]
Sent: Thursday, December 13, 2012 3:32 PM
To: John Freeman
Subject:

This E-mail was sent from "Copier2" (Aficio MP C4500).

Scan Date: 12.13.2012 15:32:21 (-0500)
Queries to: Copier2@bltooffice.com

Cynthia Reeder

From: Bellantuono, Kristen [Kristen.Bellantuono@ct.gov]
Sent: Tuesday, January 15, 2013 9:34 AM
To: 'Cynthia Reeder'
Subject: FW: Letter of Intent between City and Waterfront Magee LLC
Attachments: 20121213160058916.pdf

-----Original Message-----

From: John Freeman [mailto:JFreeman@harborpt.com]
Sent: Thursday, December 13, 2012 4:07 PM
To: Bellantuono, Kristen; William Buckley; 'William Heiple'
Subject: Letter of Intent between City and Waterfront Magee LLC

Note this is a dated copy

John D. Freeman
Harbor Point Development
100 Washington BLVD - Suite 200
Stamford, CT 06902
(203) 644-1585 - phone
(203) 644-1599 - fax

LETTER OF INTENT

WHEREAS, Waterfront Magee LLC (the "Applicant") has filed, and will file, applications with local, state and federal regulatory authorities, including, but not limited to the City of Stamford Zoning Board and the Connecticut Department of Energy and Environmental Protection, to develop the property located at 205 Magee Avenue, Stamford Connecticut, as a boat yard, as shown on the attached plan entitled "Waterfront-Magee LLC, Stamford Boat Works, Site Layout And Materials Plan, CS-101" prepared by Fuss & O'Neill, dated September 7, 2012, and as may be modified by the above-referenced regulatory authorities (hereinafter, "the Plan")

WHEREAS, certain improvements proposed in connection with the boat yard facility are predicated upon use of property owned by the City of Stamford (the "City") or within the City's littoral rights area, including, but not limited to, docks and a travel lift well facility,

WHEREAS, The City, through the Mayor's Office, has been in discussions with the Applicant about the proposed facility and the use of City property in furtherance of creating a boat yard for the Stamford Harbor,

WHEREAS, The City and the Applicant have entered into negotiations concerning the grant of certain property rights to the Applicant, its successors and assigns, to construct and use the improvements on City property as shown on the Plan, for the operation of the proposed boat yard in exchange for certain consideration, to be agreed upon by the City and the Applicant, and to be provided by the Applicant for the benefit of the City.

NOW THEREFORE, in consideration of the promises set forth herein and other valuable consideration, the receipt of which is acknowledged by each party to the other, the parties hereby agree as follows:

1. The City hereby intends to grant to the Applicant, its successors and assigns, subject to terms and conditions to be agreed upon, and as set forth herein, specific property rights to allow the construction and operation of improvements and facilities by the Applicant, on City property or in the harbor adjacent to City property, in connection with the development of the proposed boat yard as shown on the Plan, provided such boatyard plan is approved by City Boards and Commissions.
2. The Applicant will negotiate in good faith with the City to agree upon appropriate consideration to be provided by the Applicant to the City in exchange for said property rights.
3. The Applicant will diligently pursue the approvals to construct and operate the proposed boat yard facility.

4. The City hereby consents to allow the Applicant to include the City property as designated on the Plan, including, but not limited to, adjacent littoral rights areas, in any applications filed for permits and approvals necessary to construct and operate the proposed boat yard facility and this Agreement shall be evidence of the City's consent to such applications.

5. The applicant recognizes that this Letter of Intent shall be subject to a superseding agreement, to be negotiated and agreed to by the parties hereto, which will include more detailed and specific terms concerning the grant of property rights referenced herein, which terms shall include, together with other terms as may be agreed to by the parties hereto, the following requirements:

- a. The Applicant shall apply for, receive and/or obtain all requisite approvals necessary to operate a boat yard at 205 Magee Avenue, Stamford, Connecticut; and
- b. The Applicant shall obtain final approval of such grant by City of Stamford Boards and Commissions as may be required by City Charter, state law or as the Mayor of the City of Stamford, in his sole discretion deems necessary or appropriate.

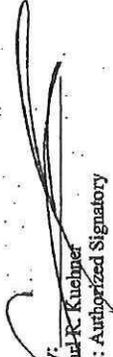
6. This Agreement shall terminate on June 1, 2013 unless the Applicant and the City enter into a superseding agreement prior thereto.

In Witness Whereof, the parties, by their duly authorized representatives, have hereunto executed this Agreement on this 5th day of December 2012.

CITY OF STAMFORD, CONNECTICUT

By: 
Michael A. Pavia, Mayor

Waterfront Magee LLC
a Delaware limited liability company

By: 
Carl R. Kuehner
Its: Authorized Signatory

Bellantuono, Kristen

From: John Freeman [JFreeman@harborpt.com]
Sent: Thursday, December 20, 2012 4:40 PM
To: Thompson, Brian; 'CLapinski@fando.com'; 'wheiple@tritonenvironmental.com'
Cc: William Buckley; Bellantuono, Kristen
Subject: RE: Waterfront Magee Response to CTDEEP Notice of Insuficiency (3 of 3)

Brian – per the LOI I submitted to Kristen the City has consented to the application and agreed to negotiate an easement. I assume that is enough for #2 at this point.

John D. Freeman

Harbor Point Development
100 Washington BLVD - Suite 200
Stamford, CT 06902
(203) 644-1585 - phone
(203) 644-1599 - fax

From: Thompson, Brian [<mailto:Brian.Thompson@ct.gov>]
Sent: Thursday, December 20, 2012 3:38 PM
To: 'CLapinski@fando.com'; 'wheiple@tritonenvironmental.com'
Cc: John Freeman; William Buckley; Bellantuono, Kristen
Subject: FW: Waterfront Magee Response to CTDEEP Notice of Insuficiency (3 of 3)

In response to the NOI Response and a conversation that I had with Bill Heiple late last week, there are two issues regarding the proposed wetland mitigation that I bring to your attention:

- 1). While phragmites eradication is suitable as a component of a wetlands mitigation project, its benefits will be temporary unless there is an enhancement of tidal flow into the wetland. Thus, to provide for long-term benefit, the mitigation proposal must include flow enhancement achieved through cleaning of existing ditches, alteration of grade and possibly extending ditches within the wetland.
- 2) The wetland area that is subject of the proposed mitigation is City property and will require landowner permission.

Kristen and I look forward to further discussion with you on this.

Brian P. Thompson
Director
Office of Long Island Sound Programs
Bureau of Water Protection and Land Reuse
Connecticut Department of Energy and Environmental Protection
79 Elm Street, Hartford, CT 06106-5127
P: 860.424.3650 | F: 860.424.4054 | E: brian.thompson@ct.gov



SAYS STAMFORD BOARDS WOULD HAVE TO APPROVE

Official defends boatyard land arrangement

By Elizabeth Kim

STAMFORD — The Pavia administration has come to the defense of an agreement giving Building and Land Technology the right to include a strip of city-owned land in its controversial plan to build a boatyard in Shippan.

On Wednesday, The Advocate reported that a letter of intent made public this week included a clause that suggested the mayor could use his sole authority to grant property rights to BLT as an alternative to obtaining the approval of city boards. BLT is seeking to build a boatyard on a 3.5-acre parcel at 205 Magee Ave. as part of a broader plan to rezone

and develop the former Yacht Haven Marina site in the South End into an office headquarters for hedge fund Bridgewater Associates.

The Shippan proposal rests on BLT obtaining access rights to about 4,200 square feet of city property along the waterfront.

Joseph Capalbo, the city's director of legal affairs, who signed off on the letter of intent, said the newspaper's report was inaccurate and that any transfer of property rights to BLT would have to be approved by the Planning Board, the Board of Finance and the Board of Representatives.

"My intent is to protect the city in every way, shape or form, and that's what I tried

to do," he said.

But the document may be interpreted otherwise. Bulletin 5, subsection b states:

"The Applicant shall obtain final approval of such grant by City of Stamford Boards and Commissions as may be required by City Charter, state law or as the Mayor of the City of Stamford, in his sole discretion deems necessary or appropriate."

According to Capalbo, the statement does not assign the mayor sweeping powers over how the property rights are granted, but merely assigns him the right to require BLT to obtain approval from city boards. He said because the city had not decided how it might eventually transfer the property rights, whether

the statement was miswritten or unclear.

Critics have charged the administration with overstepping its bounds with the letter of intent as well as bowing to pressure from the state. Gov. Dannel P. Malloy has backed the Bridgewater project, pledging to give the hedge fund \$115 million in return for building a \$750 million headquarters in Stamford and creating as many as 1,000 new jobs. If approved, however, it will displace a South End boatyard that had been seen as a critical water-dependent use protected under zoning regulations as well as state law.

Administration officials insisted that the letter of intent was simply to allow local

zoning and state environmental officials to begin reviewing the project. Without the letter of intent, the city's land use bureau could not accept BLT's plan for the boatyard because it included land it was not allowed to represent.

But in another confusing assertion, although the document clearly states that the city intends to grant "specific property rights" should the boatyard plan be approved, Capalbo said the letter of intent only commits the city to entering negotiations with BLT.

"The city didn't give up any rights at all," he said.

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According to (Legal Affairs Director Joseph) Capalbo, the statement does not assign the may- or sweeping pow- ers over how the property rights are granted.

through a land sale, an easement or license agreement, it was not clear what kind of approval process would be mandated by City Charter or state law.

He said he did not think

errors on the survey map of the park and asked the city to correct them.

However, the changes, in the form of a correcting deed, were not submitted to the state until well after a year, Stygar said. While the date on the deed is Dec. 8, 2009, it is not clear when the paperwork was mailed to the state, he said. In Stamford, the deed and accompanying map were not filed in the town clerk's office until Feb. 2, 2012.

Yet even after the map was finally corrected, the city did not make an effort to finalize the grant contract, Stygar said.

It is not clear why the city failed to pursue the sizeable grant money. Karen Cam-

marota, the city's grants officer, could not be reached for comment. Ben Barnes, the city's former director of operations who now oversees the state Office of Policy and Management, did not respond to two messages requesting an interview. An aide for Malloy said questions about the grant should be referred to the city.

But having never accepted the grant, the city is freed from state restrictions that would prohibit it from selling the parcel. State law mandates that land conserved as open space cannot be used for commercial purposes.

In October, the state Department of Energy and Environmental Protection sent a letter to the city notifying that the open space grant for 205 Magee Ave. was still unresolved. Mayor Michael Pavia issued a written response requesting an extension until Feb. 1, either "to close out or move into the contractual phase" on the grant. Pavia said he expected that by then the city would have determined the "highest and best use" of the property.

Stygar said the state has advised the city to revise the map by exempting the waterfront portion that is being sought by BLT. Once that change is made, the city could still receive the full grant, he said.

While it may salvage the grant, the maneuver raises questions about whether the administration has the right to make boundary changes to a park without the authority of city boards.

Should the parcel in question remain part of the park, Stamford's Charter states that property consisting of 20,000 square feet or less that is owned by the city and used for park purposes may only be sold or transferred after written approval by the Mayor, the Planning Board, the Board of Finance and a two-thirds vote of the entire membership of the Board of Representatives.

Joseph Capalbo, the city's director of legal affairs, could not be reached for comment last week. Both he and Cole have been asked to appear before the Board of Representatives' land use committee on Tuesday to discuss the boatyard plan.

How Antares and BLT originally viewed the 205 Magee Ave. site has also been a source of speculation. Last fall, John Freeman, BLT's attorney and Harbor Point spokesman who initially represented Antares, asserted that Antares purchased 205 Magee at the encouragement of "city officials" who said it could be used as a possible replacement for the South End boatyard.

Cole, who was the city's principal planner at the time, said he himself never discussed or heard of such a proposal. The zoning approval for Harbor Point, which calls for offices and residential complexes as well as a hotel, specifically requires the developer to preserve and maintain the boatyard.

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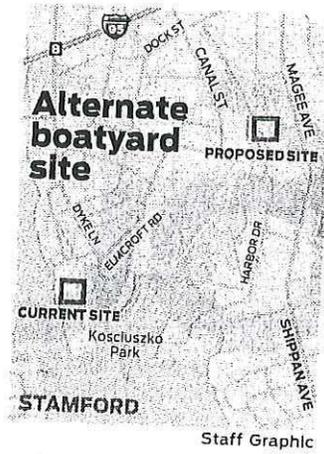
City reps challenge administration's agreement with Shippan developer

By Elizabeth Kim

STAMFORD — As developer Building and Land Technology awaits a key decision on a controversial plan to place a boatyard in Shippan, several elected officials are accusing the Pavia administration of improperly negotiating away potential rights to a city-owned parcel on which the project rests.

On Monday, the Zoning Board is expected to vote on whether to accept BLT's application to develop a boatyard at a 3.5-acre site it owns at 205 Magee Ave. The board had initially rejected the application because BLT's access to the water is blocked by an adjoining 4,200 square-foot strip of waterfront property owned by the city.

The parcel is part of an integral plan to move an existing boatyard on a 14-acre peninsula on Bateman Way that BLT demolished in the



Staff Graphic

South End to Shippan to accommodate a state-backed \$750 million project to build headquarters campus for hedge fund giant Bridge-water Associates.

In hopes of moving the zoning process forward, Mayor Michael Pavia in December signed a letter of intent that grants BLT nego-

tiation rights to the city-owned parcel.

Critics have attacked the agreement, arguing that the administration acted outside its authority. The city charter states that in addition to the mayor, the Planning Board, the Board of Finance and the Board of Representatives must approve any sale or lease of city-owned property.

"It's premature for the Zoning Board to review the application because the mayor's letter of intent should go through the mandatory Charter process," said Mary Uva, the Republican representative from Shippan, during a telephone interview on Thursday.

Uva was among the city representatives who pressed Joseph Capalbo, the city's director of legal affairs, on the validity and meaning of the letter of intent during a meeting of the Board of

See City on A11

Continued from A1

Representatives' land use committee on Tuesday night.

One section in particular of the letter of intent has raised eyebrows. Section 5b states: "The Applicant shall obtain final approval of such grant by City of Stamford Boards and Commissions as may be required by City charter, state law or as the Mayor of the City of Stamford, in his sole discretion deems necessary or appropriate."

Many have interpreted the final clause as allowing the mayor to be the sole approving authority of a potential land deal.

Capalbo, however, defended the wording, saying that the clause referring to the mayor's sole discretion was inserted to address scenarios, such as easements and license agreements, in which the Charter does not require approval of city boards.

"I wanted to make sure that the mayor can bring this before any board," he said, adding that any transfer of property rights involving the parcel would go before the Board of Representatives.

Since the release of the letter to the Zoning Board in January, Capalbo has maintained that the letter of intent does not grant any rights other than a commitment on the part of the city to negotiate with BLT in the future.

But Annie Taylor, a Republican representative for North Stamford, cited a Dec. 13 e-mail from John Freeman, the attorney for BLT, to the Department of Energy and Environmental Protection that read: "Please find attached the agreement with City consenting to out (sic) application to DEEP and agreeing to grant property rights."

"We're not the only ones who misunderstood the content of the letter," she said.

At times, Capalbo seemed to struggle with providing convincing and detailed answers to the representatives' questions. Harry Day, the Republican chairman of the

land use committee, often interjected on his behalf and repeatedly maintained that the letter of intent was "not ambiguous."

Day, however, later acknowledged, "It's a legal document and I don't fault non-lawyers for not understanding it."

The former attorney then added: "I understood it right away."

Further complicating the letter of intent has been the revelation that the parcel sought by BLT was included as part of a plan by former Mayor Dannel P. Malloy to create a park and waterfront walkway.

In 1999, the Board of Representatives approved a request by Malloy to buy the land for \$500,000, of which \$325,000 would be provided by a state open space grant.

Yet to date, the grant money has never been tapped, leaving the property vulnerable to development interests. Land conserved as open space cannot be used for commercial purposes.

"Why didn't the city pursue the grant?" demanded Patrick Day, the Democratic representative for Shippan. "I think that's a huge issue here."

Reached by phone last week, Ben Barnes, director of the state Office of Policy and Management and Malloy's former director of operations, suggested that the failure to follow up on the grant may have simply been an oversight during what was a busy era in the city's history.

The open space grant

City reps challenge administration's pact with developer

was awarded in 2001. According to the state, the city first attempted to access the money sometime in 2007, which matches up with the timeframe during which the park was completed. But state officials noticed several errors on the survey map of the park and asked the city to fix them. The process took more than a year; the corrected deed, which includes the revised map, was signed on Dec. 8, 2009.

Asked why the city took so long, Barnes speculated that it may have been very difficult for the department to hire a surveyor at the time because "Stamford was growing by leaps and

bounds."

"I can't imagine it was a high priority," he said, adding that the amount was not significant within the context of the city's \$400 million plus budget.

Barnes, who now serves as Gov. Malloy's budget director, confessed that he was "not proud" of the time it took to complete the map, but added, "I don't remember anything about it other than the normal to and fro of making it happen."

The city has not yet addressed the legal ramifications of transferring property rights for land that was approved for purchase as part of a park.

According to the city Charter, property consisting of 20,000 square feet or less that is owned by the city and used for park purposes may only be sold or transferred after written approval by the Mayor, the Planning Board, the Board of Finance and a two-thirds vote of the entire membership of the Board of Representatives.

Asked about the issue on Tuesday, Capalbo said he did not know that the city's

land at 205 Magee Ave. was a park until that very afternoon. However, in October 2012, the state Department of Energy and Environmental Protection sent a letter to Pavia alerting him to the fact that the open space grant for 205 Magee Ave. was still unresolved.

After initially requesting that the deadline be pushed to Feb. 1, Pavia recently asked to further extend the date to June 1, according to Karen Cammarota, the city's grants officer. The state has recommended the city revise the map of the park to exempt the parcel sought by BLT.

In a sign of a possible challenge to come, Day said he thought it was "debatable" as to whether the waterfront parcel was part of the park. He also questioned whether the property was officially recognized as a park.

But city documents suggest otherwise. Malloy's 1999 letter to the city boards clearly reference the creation of "park" as well as "an elaborate public walkway system" that would "provide

a vital link between Czescik Marina and other City properties to the north." The purchase agreement contains several references to a "Shoreland Park." Finally, the deed to the property states that all three separate parcels, including the waterfront area, were conveyed to the city for "municipal and/or conservation purposes."

On May 19, 2008, Malloy held an official ribbon-cutting for the park. The event was covered by *The Advocate*, which ran the story under the headline "Stamford's newest park opens with no name." An accompanying photo shows Barnes and Freeman, who was at the time an attorney for Antares, the initial developer of Harbor Point.

Holding up the article before her fellow board members, Taylor remarked, "To me, if it looks like a duck, sounds like a duck and quacks like a duck, then it's a duck."

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Connecticut Department of
Energy & Environmental Protection

Environmental Permit Application Package

This Package Contains The Following:

- √ Standard Permit Process Information
- √ Permit Application Transmittal Form (DEP-APP-001)
(Instructions for this form are printed inside this folder)
- Applicable Application Form(s) and Instructions
- Applicable Regulations and Guidance Documents

The Department of Energy and Environmental Protection is an affirmative action/equal opportunity employer and service provider. In conformance with the Americans with Disabilities Act, DEEP makes every effort to provide equally effective services for persons with disabilities. Individuals with disabilities who need this information in an alternative format, to allow them to benefit and/or participate in the agency's programs and services, should call 860-424-3035 or e-mail the ADA Coordinator at DEP.aaooffice@ct.gov. Persons who are hearing impaired should call the State of Connecticut relay number 711.

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Hartford, CT 06106-5127
www.ct.gov/deep

Standard Permit Process Information

The Connecticut Department of Energy and Environmental Protection (DEEP) is committed to continuously improve environmental permitting processes to make them more efficient, consistent and responsive. This application package describes DEEP's permit application process. Please read the following information *before* you apply for a permit, certificate, approval or other license.

How Do I Apply For A DEEP Permit?

In order to apply for a DEEP permit(s), you must complete and submit all of the following:

- A Permit Application Transmittal Form (DEP-APP-001), if applicable;
- An application form or registration form for each permit sought and the required number of photocopies of each application (as indicated on the Permit Application Transmittal Form); and
- The applicable initial fee paid by check or money order made payable to "Department of Energy and Environmental Protection".

You must submit the above materials together to:

CENTRAL PERMIT PROCESSING UNIT
DEPARTMENT OF ENERGY AND ENVIRONMENTAL
PROTECTION
79 ELM STREET
HARTFORD, CT 06106-5127

If you choose, you may bring your application package directly to DEEP, which is located at 79 Elm Street in Hartford. The Central Permit Processing Unit, located on the first floor, is open for deliveries Monday through Friday from 8:30 AM to 4:00 PM.

Permit Application Transmittal Form and Instructions

Instructions for this form are printed inside this folder. It allows DEEP to track all applications associated with a particular project. If your project requires multiple DEEP permits, you are encouraged to submit all permit applications for that project together with one Permit Application Transmittal Form.

You should retain a completed copy of the application package for your records. Keep a copy of these instructions for future reference.

Permit Application Forms and Instructions

Detailed instructions are provided with each application form. These instructions explain the questions asked on the form and provide additional information on fees and other requirements. You should read and refer to these instructions as you complete an application. The instructions are not a substitute for the statutes and regulations applicable to the particular permit you are applying for. You should review all applicable law before completing the permit application.

All permit application forms and instructions are available on DEEP's web site: www.ct.gov/deep. Useful phone numbers are provided on page 4 of these instructions.

What Is The Notice Of Permit Application?

In order to encourage timely public participation in the permitting process, Connecticut law requires *most* permit applicants to publish notice of their permit application. (Note: registrants for any of the general permits are not required to publish notice of their registrations.) Refer to the applicable permit application instructions to determine whether this law applies to your application. The notice must be published in a newspaper having general circulation in the area affected by the proposed activity. Be sure to use the notice format included in the applicable application instructions. Notice of your application must also be provided to the chief elected official of the municipality in which the regulated activity is proposed. Confirmation that this notice has been published and that the required municipal officials have been notified is required before DEEP can process your application. To confirm that you have complied with this requirement you must submit to DEEP a copy of the published notice attached to a completed Certification of Notice Form - Notice of Application (DEP-APP-005A). Refer to the applicable permit application instructions for more details on your notice of application. In some cases DEEP may also require you to post a sign on the site or to provide any other reasonable form of notice. DEEP will notify you after reviewing your application package if this additional notice is required for your project.

How Does The Application Review Process Work?

DEEP uses both individual and general permits to regulate activities. Individual permits are issued directly to an applicant, whereas general permits are permits issued to authorize similar minor activities by one or more applicants. Authorization of an activity under a general permit is governed by that general permit. Since the general permit process may be quicker and less costly than that of an individual permit, be sure to check the *List of General Permits* (DEP-FS-004) in order to determine whether any of your activities may be eligible for authorization under a general permit before applying for an individual permit. For further information on individual permits and the applicability of general permits and other short processes please refer to the *User's Guide to Environmental Permits*, available on the Internet at www.ct.gov/deep, or contact the specific permit program responsible for processing your application.

Sufficiency Determination - For most permits, once your application package (Permit Application Transmittal Form, application form(s), appropriate application copies, and applicable fees) *and* the copy of the published notice attached to a completed Certification of Notice Form - Notice of Application

(DEP-APP-005A) are received by DEEP, a sufficiency determination is conducted to determine whether you have provided all required elements of the application. Upon completion of the sufficiency determination, DEEP will send you either:

- A *Notice of Sufficiency* - stating that the application is sufficient for technical review; or
- A *Notice of Insufficiency* - outlining missing information required for a sufficient application.

Upon receipt of your response to a notice of insufficiency, DEEP will conduct a second sufficiency determination. Upon completion of this review, DEEP will send you either:

- A *Notice of Sufficiency* - stating that the application is now sufficient for technical review; or
- A *Rejection for Insufficiency* - rejecting your application because it is still insufficient. A rejection for insufficiency does not preclude you from submitting a revised application (with another fee).

Technical Review - Once your application is determined to be sufficient, DEEP initiates a technical review of your application.

You should be aware that during this technical review, DEEP may request additional information necessary to make a decision on the application.

Tentative Determination - Upon completion of the technical review, DEEP will make a tentative determination to grant or deny the application, and, where applicable, publish notice of and solicit public comments on that tentative determination. In some cases, DEEP may hold a hearing on your application. After the close of any hearing and consideration of any public comments, DEEP will issue a decision to grant or deny a permit.

Who Do I Contact If I Have Questions?

The Permit Assistance Office can answer general questions regarding permitting. This office can also help refer you to professional staff who can answer questions of a project-specific or technical nature. A pre-application conference may help you fully understand the permit application requirements for your proposed project. If you have any questions regarding the application requirements, the permitting process, or the merit of a pre-application meeting, please contact the Permit Assistance Office, or the specific permit program. (See phone listings on page 4 of these instructions.)

Instructions for Completing the Permit Application Transmittal Form

Part I: Applicant Information

Provide the full, legal name, mailing address, and phone and fax numbers of the individual or business seeking the permit. If the applicant is a corporation, limited partnership, limited liability partnership, limited liability company or a statutory trust registered with the Connecticut Secretary of the State, provide the name exactly as it is shown on the registration. Provide the name and daytime phone number of the person that DEEP should contact for communications regarding the permit application. Check the appropriate box identifying the type of applicant. If the applicant is a business entity, be sure to also identify the type. The applicant will become the permittee upon issuance of any permit and will be legally responsible for ensuring compliance with environmental laws and regulations once the permit is granted. If more than one person or business is applying for a permit as co-applicants, attach an additional sheet to supply the same information as indicated above.

Also, provide the applicant's billing name, address and billing contact, if different from the applicant's.

Part II: Project Information

Provide a brief description of the proposed project which is the subject of the permit application(s). For example, "Development of a 50 slip marina on Long Island Sound"; "Construction of a steam-generated power plant"; or "Renewal of permits to continue to operate a manufacturing plant". Include the name(s) of the town or city where the project will take place.

List all other federal, state or local environmental permits, licenses, approvals, registrations, or certificates (including DEEP individual or general permits) required for the proposed project but *not* included with the Permit Application Transmittal Form. Provide the actual or anticipated submittal date for those applications. If any such approval has been granted, provide the date of such granting and the number associated with any permit, etc. issued.

Part III: Individual Permit Application and Fee Information

Individual Permit Applications: In the far left column on page 2, indicate by entering the appropriate letter whether the application is for a new permit ("N"), a modification of an existing permit ("M"), or a renewal of an existing permit ("R").

Initial Fees:

- The initial fee, where required, is non-refundable.
- In most permit programs, the initial fee is credited towards the permit application fee. If the permit application fee is greater than the initial fee, the balance will be billed at a later date.
- The star (★) indicates that varying fees are associated with specific activities within that permit program. In such cases, you must consult the fee schedule on the relevant application form to identify the correct fee to enter on the Permit Application Transmittal Form.
- As required by Section 22a-6(b) of the Connecticut General Statutes (CGS), any fee charged to a municipality shall be fifty percent of the fee that would be charged to

other applicants (except for pesticide permit applications submitted under CGS Sections 22a-54 and 22a-66). State agencies should consult the specific permit program to determine if any fee waiver is available.

- If you are applying for a modification or revision of an existing permit, your fees may differ from what is listed on the form. Contact the specific permit program for the correct fees.

Number of permits applied for: Indicate the number of permits you are applying for within each permit program. Remember to enter the total number in the appropriate box.

Total Initial Fees: Enter the total amount of the initial fees for each permit program. If you are applying for a modification of an existing permit and your fees vary from the listed amount, please write in the amount of your fee. Add these amounts and enter the subtotal. Be sure to also enter the subtotal of the initial fees for general permits and authorizations from Part IV, pages 3, 4 and 5 of the Permit Application Transmittal Form.

Municipalities and state agencies should add the total initial fees as indicated, then enter the dollar amount of any applicable discount in the **Less Applicable Discount** box. Please remember to indicate by a check mark whether a municipal discount or state waiver applies. Then indicate the Amount Remitted.

Amount Remitted: The check or money order for this amount should be made payable to "Department of Energy and Environmental Protection". Enter the number of the check or money order enclosed as payment.

Original + Required Copies: Please submit the original application plus the number of required copies indicated on the Permit Application Transmittal Form.

Part IV: General Permit Registrations and Requests for Other Authorizations - Application and Fee Information

Follow the same instructions as detailed in Part III, with the exception that you need to place a check mark (instead of a letter) in the appropriate box in the first column indicating the type of authorization you are seeking. The double star (★★) indicates that you must contact the specific permit program to determine the fee or number of required copies for any such authorization.

If you are applying for a recently issued general permit or other authorization not listed on the Permit Application Transmittal Form, please enter the name of the general permit and the appropriate fee amount in the blank spaces provided. Be sure to carry over the subtotals of any general permits and authorizations to the corresponding line in Part III, page 2 of the Permit Application Transmittal Form.

Quick Reference to Permit Assistance Resources

Application forms, guidance and the *User's Guide to Environmental Permitting* are now available on the Internet.
www.ct.gov/deep

For general information about permits, contact:		
DEEP Office of the Ombudsman/Permit Assistance Office		860-424-3003
For specific DEEP permit program information, contact:		
Air Emissions -	Air Permits Title V Helpline	860-424-4152 800-760-7036
Water Management -	Aquifer Protection Program Water Discharges	860-424-3020 860-424-3018
Inland Water Resources -	Diversion; Inland Wetlands and Watercourses; Water Quality Certifications; and Stream Channel Encroachment Lines Flood Management and Dams	860-424-3019 860-424-3706
Office of Long Island Sound Programs - Coastal Programs		860-424-3034
Waste Management -	Solid Waste; and Asbestos Removal Hazardous Waste; Special Waste; and Waste Transportation Hazardous Waste Compliance Assistance Program (COMPASS) Marine Terminals Pesticides	860-424-3366 860-424-3372 860-424-4193 860-424-3298 860-424-3369
For available resources, such as USGS topographical maps, etc., contact:		
DEEP Maps and Publications		860-424-3555
Other Useful Numbers:		
CT Small Business Assistance Program		860-424-3003
DEEP Environmental Equity Office		860-424-3044
DEEP Office of Pollution Prevention		860-424-3297
EPA Region I Call Center		888-372-7341
EPA RCRA, Superfund and EPCRA Hotline -- www.epa.gov/epaoswer/hotline		800-424-9346
U.S. Army Corps of Engineers, New England Division - Regulatory/Permits		800-343-4789
Natural Resources Conservation Service, USDA		860-871-4011