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Kenneth M. Collette, Esq.  
Office of Adjudications  
Connecticut Department of Energy and Environmental Protection  
79 Elm Street  
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**Re: #201207377-KB; Waterfront Magee, LLC; Stamford Boat Works**

Dear Mr. Collette:

I am writing as a concerned Stamford citizen and as a longtime resident who lives near the site where the applicant, Waterfront Magee, LLC, has proposed building a working boatyard operation. In connection with this proposal, the applicant has submitted to the Department of Energy and Environmental Protection (DEEP) a “Structures, Dredging, Fill and Tidal Wetlands Permit Application.” Joining fellow citizens and neighbors, I urge you to **deny** this permit.

There are numerous reasons why this permit should be denied – including navigational, environmental and quality of life concerns – but first and foremost, Waterfront Magee, LLC **does not even own** the waterfront area nor hold the riparian rights that would be required for the applicant’s proposed activities. The waterfront area at 205 Magee Avenue is part of protected parkland and belongs to the City of the Stamford and its citizens.

Permission to sell/transfer/license this city property or to grant an easement can only be granted through an approval process that has been established by our City Charter and which includes a public hearing and approvals by Stamford’s local municipal boards – Planning, Finance and the Board of Representatives. To date, no such approval has been granted. (Nor has approval been granted to Waterfront Magee, LLC for any adjacent land or any city property in connection with this proposal.)

In addition to the fact that Waterfront Magee, LLC has no easement and has no ownership rights to the public parkland, there are other important factors that prohibit the granting of this permit, they include:

**• Quality of Life Concerns**

Over fourteen years ago, the citizens of Stamford initiated a fight for -- and won -- protection of 4.8 acres of the original 8.3 acre parcel of land at 205 Magee Avenue. The original intent of the creation of the peaceful waterfront park was for the benefit and enjoyment of the public. It is protected open space for passive recreation. The proposed development by Waterfront Magee, LLC for 205 Magee Avenue would negatively impact and destroy the intended use of the people's parkland.

The same issues and concerns that drove our community fourteen years ago to fight to protect the 205 Magee shoreline and to restrict the use of the upland property by deed remain. The property at 205 Magee serves as an important buffer zone between a commercial area that is zoned for light industrial use and the quiet residential neighborhoods of Shippan Point and Harbor Drive. This area is the gateway to our homes.

The proposed boatyard development will bring in additional traffic, clogging our already congested streets, and strain our resources. The boat works operation itself will introduce an additional element of noise and vibration, not only during its construction phase, but also perpetually with the hauling and launching of boats.

**• Dredging Concerns**

Waterfront Magee, LLC's proposal requires a permit from DEEP to dredge. This permit should **not** be allowed.

The applicant's own analysis of the sediment to be dredged -- using EPA criteria and reported in its permit applications to DEEP and the U.S. Army Corps of Engineers (USACE) -- reports that the sediment is toxic. It contains "metals, PCBs, PAHs and pesticides." The applicant further states that it is "not suitable" to dump this contaminated sediment on a beach, in the sound or in construction material. This being the case, then clearly it is **not suitable** to dredge these contaminants up in close proximity to our populated areas and residential neighborhoods.

Waterfront Magee, LLC states that it intends to haul these contaminants off to an upland site in neighboring New York or New Jersey. Though apparently "permitted," such disposal is hardly commendable and does nothing to address the national growing concern over the "shuffling around" of hazardous waste material.

**• Environmental Concerns**

The boatyard operation will negatively impact our wetlands and wildlife. The shoreline is a habitat for plants, sea life and birds.

In addition, boaters point out that the inevitable leaking of engine fuel as boats are serviced, hauled or launched will pollute our shores and waters.

• **Navigational and Safety Concerns.**

Barges routinely move back and forth in the narrow East Branch of Stamford Harbor and the Federal Navigational Channel. Even a layman's view from my kitchen window reveals that there is too much congestion already with the barges, working boats and recreational watercraft in this limited waterway. Veteran skippers in our large boating community say the site is too small for Waterfront Magee's proposal and express safety concerns for themselves, their families and their vessels.

• **Boatyard Operation Out of Proportion to Site Concerns**

Waterfront Magee, LLC is attempting to replace a 14-acre working boatyard ("Brewer's Yacht Haven") that was located in Stamford's South End and that its parent company, Building and Land Technology (BLT), destroyed and removed in violation of Stamford zoning regulations – incurring the anger of the community, the Stamford Zoning Board and our elected Representatives. The original boatyard should be restored or an alternative site should be selected. Cramming this operation onto 3.5 acres of property is not the solution – especially given all the problems and concerns cited above. There are other, larger, alternative properties more appropriately suited for this operation. At least one of these alternatives is 7 acres and does not require dredging.

In light of the above concerns, I urge the DEEP to carefully consider and respect the community's concerns and objections to BLT/Waterfront Magee's proposal for 205 Magee Avenue and to deny the permit.

Thank you.

Sincerely,

Marikay Mead Willson