



July 16, 2019

Chairman David Rathbun  
Planning & Zoning Commission  
Town of Stonington  
152 Elm Street  
Stonington, CT 06378

RE: Withdrawal of Application  
PZ1980ZC Noank Shipyard, Inc.  
Washington & Willow Streets, Mystic

Dear David:

We are writing on behalf of Noank Shipyard, Inc. to formally withdraw our Zone Change Master Plan Application currently pending before the Planning & Zoning Commission for Seaport Marine. We would respectfully request that this letter be forwarded to all members of the Commission.

While we still believe in our vision for a vibrant mixed use waterfront redevelopment of the property, we do acknowledge the public opposition to the project, the vehemence of which admittedly caught us off guard given the lack of public engagement through May of this year. We especially feel that the comments of some select opponents, which have been fundamentally unfair and directed personally, are divisive and damaging to the reputation of our close-knit community. As longtime residents and business owners in Stonington, it is both disappointing and frustrating to be publicly attacked for wanting to reinvest in and make our Village of Mystic a better place. Reasonable people can agree to disagree as to whether Smiler's Wharf should have been approved, but the efforts of some in their opposition to the project to try to destroy our reputations as well as those of elected officials, Commission members, and town staff have no place in civil public discourse. Quite frankly, the cheering and jeering of these select opponents and their repeated refusal to adhere to the Commission's rules and time limits during the public hearings on the application was an embarrassment. Our company intends to step back from this endeavor at this time, reassess our options, reengage with the community, and return to the Commission at a future date to explore our opportunities for the site. We certainly appreciate the great amount of time and support the Commission and your staff has extended to us through this lengthy process.

While we have chosen to voluntarily withdraw our application, we also feel an obligation to respond directly to some of the more egregious misrepresentations and false statements made by opponents and local commentators regarding the project.

First, the suggestion that we did not reach out to our neighbors to garner their support for the project is simply untrue. We personally invited immediate neighbors of Seaport Marine early last year to review the concept plans for the project and provide us with any suggestions or concerns. With the exception of a single neighbor, we were rebuffed and ignored. We subsequently sent emails, certified letters, direct contact phone numbers, and even mass mailers to our neighbors to try to engage them in discussions about the project and address their concerns proactively. Unfortunately, we received very little to no feedback. We held a public workshop with the Commission in May of 2018 which was sparsely attended but we still modified and downscaled our concept plans based on preliminary input from the neighbors that did attend. We also held a stakeholder's meeting with local business owners and provided multiple public presentations to groups like the Downtown Merchants' Association and even the Mystic River Park Association, which some of our now most vocal critics attended. Earlier this year, we held public sessions with the Architectural Design Review Board, Police Commission, Conservation Commission, and Economic Development Commission, none of which were attended by more than three citizens, all of which unanimously voted in support of the project. Throughout the entire process we never took the position that the project plans could not be modified or changed and we actively solicited constructive input. Neighbors and other concerned citizens of Mystic and Stonington have had multiple opportunities to be part of the conversation. The select group of neighbors who have continued to put forward this false narrative regarding our lack of public outreach are the same neighbors who opposed our marina improvements after we purchased Seaport Marine in 2004, our development of the Red36 project, and often oppose other new development in the Village of Mystic. They certainly have the right to oppose any project they desire, but it is wrong to allow them to mischaracterize our significant efforts to garner the support of our neighbors and to defame both us personally and your town staff.

Second, the accusation that our company intentionally sabotaged our boat repair and storage business over the last 15 years so that we would be well positioned to propose the Smiler's Wharf project is similarly false and, quite frankly, ludicrous. We have invested approximately \$15M into Seaport Marine to date. We've added upgraded floating docks, rehabilitated transient marine facilities, undertaken environmental remediation, developed Red36, upgraded electrical and water infrastructure, rebuilt public access, demolished dilapidated structures, and improved many other site amenities. Our marina business is incredibly strong and we never claimed otherwise. However, the reality is that our boat repair facilities are at the end of their useful life span at Seaport Marine. Additionally, the areas of the site used for boat storage yield limited revenue in their current state and constraints. The capital investments needed to upgrade these elements of our business are not economically viable for the anticipated return on investment. This is simple economics. Relocating and integrating these services at our sister shipyard in Noank is the only economically prudent alternative to preserving them and the jobs related to them. Again, the false narrative put forward by select opponents that our company purposefully ran these parts of our business into the ground to obtain some type of advantage in the land use permitting process is irresponsible. These uses will be relocated regardless of this withdrawal and that will provide an opportunity for redevelopment in the upland areas of the site. We have a right to use that land for any lawful purpose and fully intend to do so.

Third, and finally, the May 28, 2019 letter to the Commission from the CTDEEP recommending against the application has been mischaracterized repeatedly by both neighbors and local commentators. The CTDEEP has a statutory obligation to provide recommendations to the Commission in regard to zone changes in the coastal area, but these recommendations are not binding and totally rejecting such recommendations is not a violation of law. While we respect the CTDEEP and its opinions, and had what appeared to be a favorable and productive pre-application meeting with the agency, we believe that the letter is simply wrong and ignores critical facts of the development. Any diminishment of water



dependent use related to the relocation of boat repair and boat storage activities would have been more than compensated for by the preservation and enhancement of the in-water marina uses and the addition of the public access boardwalk and waterfront park. It makes no sense whatsoever to give higher preference to private boat repair and storage areas, which incidentally don't need to be adjacent to the water at all, over meaningful public waterfront access that can be enjoyed by the entire community. Similarly, nothing in the Coastal Management Act prohibits the construction of residences or hotels in the coastal area and to interpret the quite reasonable coastal policy of minimizing threats to human life and property as an outright ban is contrary to private property rights and inconsistent with your own Zoning Regulations that allow for this type of construction in coastal flood areas under strict controls. Further, the CTDEEP letter did not suggest that the proposed new bulkheads along the Mystic River would not be permitted, rather it only indicated that future coastal flood and erosion barriers to protect residences built onsite would be prohibited. While we are all concerned with climate change and rising sea levels, we need to encourage greater coastal resiliency through a variety of means, including in the construction of new buildings and the retrofitting of older ones, and not simply abandoning our waterfront towns and villages to the sea. The Commission must consider the negative impact to all of Mystic, which is almost entirely encompassed by coastal flood zones, if it is to adopt this type of highly restrictive approach to all new development in the village.

We thank you for the opportunity to share these responses with you and would ask that our pending hearing on the application be cancelled for tonight. Acknowledging the substantial support throughout the community for the redevelopment of this property in some fashion, we look forward to continuing the dialogue with the Commission regarding the future of Seaport Marine and the Village of Mystic here in Stonington with you in the near future.

Sincerely,



John P. Holstein  
President



Abbey Holstein Boardsen  
General Manager



Harry Boardsen, III  
General Manager