

**Five Mile River Commission
Minutes
February 17, 2011**

Commission members in attendance:

Matthew Marion, chairman
Dirk Leasure
William Jessup
Ray Meurer, harbor superintendent
David Snyder, assistant harbor superintendent

Matthew Marion took the chair at 7:43 p.m.

The winter storage of boats on moorings was discussed. Chairman Marion directed the harbor superintendent to survey nearby harbor masters to determine if they place limitations on the use of moorings during the winter months.

Currently six boat owners use their moorings for winter storage; Zwart, Walsh, Klopfer, Joeseffson, Griffith (Brian), Stokes.

According to the ordinances, a mooring "...permit shall be in effect for the calendar year in which is it granted." No mention is made about the use of a mooring for winter storage.

Several recommendations about the winter storage of boats on moorings were discussed:

- Disallow the use during the months of December, January and February citing environmental concerns regarding fuel spills and safety should someone attempt to save a sinking boat and be injured in the process.
- Allow the use, but require boat owners to provide proof on insurance
- Allow the use, but require boat owners to sign a statement of indemnification assuming full responsibility for winter storing a boat and absolving the commission of any responsibility.

Also discussed was the question of who is responsible if a boat is seen to be sinking on its mooring. The "Good Samaritan Act" and the assistance provided by boatyards were discussed. Several actions were suggested including notifying the boat owner and alerting one of the boatyards. It was noted that during the winter boatyards keep a workboat in the water and operational.

It was agreed to invite representatives from the boatyards, marinas and Down Under Kayaking to either the March or April meeting to discuss our mutual

concerns and interests as is done annually. Chairman Marion directed the harbor superintendent to survey the invitees to determine which date is best for them.

It was agreed to establish a transient mooring in the area of the Rowayton Yacht Club on Five Mile River. Chairman Marion directed the harbor superintendent to solicit bids for installing the necessary ground tackle for a 25 foot boat from The Boatworks, Five Mile River Works and Edwards Marine. William Jessup said he would contact David Wenger, commodore of the yacht club, and tell him about installing the transient mooring.

Dock applications at 15 Five Mile River Road, and 71 Five Mile River Road in Darien, CT, were reviewed by the commissioners. It was agreed to do an on site survey of 15 Five Mile River Road on Saturday, February 19, 2011.

Dock applications in Rowayton at 15 Rowayton Ave and 43 Rowayton Ave. also were noted..

Regarding future dock applications that are received by mail from the Department of Environmental Protection and the Darien Planning & Zoning Commission, Chairman Marion directed copies be immediately made by the administrative assistant and distributed as quickly as possible to all four commissioners.

It was agreed that kayakers transiting the area known as the mud flats should be provided with a map of the river and instructed to keep all boats on moorings to their left as they leave the river and the same boats to the right as they return.. A proposed use of bamboo stakes or marker buoys in the mud flats to guide the kayakers was deemed unnecessary.

Income and expense reports provided by Tammy Papp, administrative assistant, showed YTD 2011 income \$14,200 and expenses \$1,028.

Chairman Marion declared an executive session at 8:39 p.m.

The meeting was adjourned at 9:02 p.m.

Upcoming 2011 meeting dates are March 16, April 20, May 25, July 20, September 14, October 13 and December 7. All meetings are held in the Boardroom of the Rowayton Community Center, 33 Highland Ave., Rowayton, CT beginning at 7:30 p.m.

Respectfully submitted,

Ray Meurer
Harbor Superintendent