

**Five Mile River Commission
Minutes
April 20, 2011**

Commission members in attendance:

Matthew Marion, chairman
John deRegt
William Jessup
Dirk Leasure
Ray Meurer, harbor superintendent

Members of the public in attendance:

Mary Ilchert, Fred Ilchert, George Ward, Five Mile River Works
Art van Sciver, The Bait Shop
Mark Hawkins, Down Under Kayaking.
Bill Zak, 15 Five Mile River Road, Darien, CT 06820.

Matthew Marion took the chair at 7:37 p.m. and called for the approval of the March 16, 2011, minutes which were unanimously accepted.

Chairman Marion welcomed the members of the boatyards, marinas and Down Under Kayaking and solicited their comments and concerns regarding the state of the river.

Chairman Marion noted that the Department of Environmental Protection (DEP) wants the names of owners of docks that are stored on moorings in the river. Anyone storing docks for their customers should contact Susan Jacobson at (860) 424-3693 or susan.jacobson@ct.gov and provide her with the name of the owner of the docks.

Mary Ilchert asked about the ruling about boats on moorings during the winter and who is responsible for the boats. She observed there seemed to be more boats stored on moorings this past winter.

Chairman Marion noted boat owners are trying to reduce the cost of winter storage and are liable for anything that happens to their boat.

Art van Sciver said most boatyards require boat owners to carry insurance although there is no state requirement that boat owners carry insurance.

Chairman Marion asked for comments about the interaction between kayakers and boat operators on the river.

Mark Hawkins noted all kayakers are instructed by the Down Under Kayaking staff to keep out of the main channel

George Ward mentioned that boat owners at Five Mile River Works have never reported any issue with kayakers.

Art van Sciver observed that some of the younger kayakers are very enthusiastic and are not always able to pay attention to what they are doing.

Art also noted that operators of larger boats cannot always see kayakers directly in front of their boat, because the kayaks are so low in the water.

Mark Hawkins pointed out that Kim Beaumont, operator of Down Under Kayaking, is very safety conscious and makes sure the staff instructs kayakers about the need for safety.

Commissioner deRegt and Art van Sciver noted that at the mouth of the river returning kayakers use main channel and are not always aware of larger boats following behind them.

Mary Ilchert observed that boat owners frequently do not obey the slow no wake rule. She said her boatyard has installed two Slow No Wake signs on the pilings of their docks, but boats still do not go slow. She was urged to report the registration numbers of boats going too fast to the harbor superintendent who will pass along the information to the Norwalk and Darien Marine Police.

Chairman Marion thanked the boatyard and marina attendees for their comments who then left the meeting.

Bill Zak was asked to comment on his proposed dock application for 16 Five Mile River Road, Darien, CT

Mr. Zak said he is concerned about the spartina grass in the area and wants to preserve it. The land on which the proposed dock will be attached is small and is not a buildable lot. Over the years it has been used as a dumping ground. He has been cleaning the debris off the property to make it as presentable as possible. He is not in a hurry to build the dock and has no intention at this time of keeping a boat there. He keeps his boat at another dock nearby.

Chairman Marion thanked Mr. Zak for his comments. Chairman Marion said he would draft a two sentence response to the DEP's request for comments about the proposed dock and circulate the response to the commissioners for their review before sending it to the DEP.

A report submitted by Tammy Papp, administrative assistant, showed expenses of \$2,951 YTD April 16, 2001. Expenses for the same period last year were \$11,691.

Income YTD April 16, 2011 was \$31,200. Income for the same period last year was \$28,150.

Total deposits held in an account for the Five Mile River Commission by the Controllers Office of the City of Norwalk were \$456,597 as of February 23, 2011.

The harbor superintendent reported that the phone for the Five Mile River Commission was being converted to a cell phone at the request of Chairman Marion. The first step is to change the name on the account from James Crane to Tammy Papp. Once that is complete, the phone will be changed to a cell phone.

There are ten unassigned mooring locations on the river in the 20 to 22 foot range according to the harbor superintendent. Commissioner Leasure directed the harbor superintendent to see if the unassigned mooring can be rearranged to accommodate boats 30 to 40 foot in length.

Commissioner Leasure also directed the harbor superintendent to report on the number of non Darien and non Norwalk boat owners in the river. .

The harbor superintended noted that the EPA is reviewing future clean boat requirements that include antifouling paints, zincs, gray water from showers and sinks, bilge water, cleaning products, garbage disposal, fishing waste and the transport of invasive species.

Chairman Marion directed the harbor superintendent to advise the six boat owners who kept their boats on a mooring this past winter that they would not be able to do so starting this fall. He also asked that all mooring permit holders be advised that beginning this fall boats cannot be keep on a mooring beginning December 1 through March 1 of the following year.

Chairman Marion declared an executive session at 8:56 p.m.

The meeting was adjourned at 9:36 p.m.

Upcoming 2011 meeting dates are 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