

**Five Mile River Commission
February 19, 2015 Meeting Minutes
The Boardroom, Rowayton Community Center
33 Highland Ave., Rowayton, CT 06853**

Commission members in attendance:

Matthew Marion, Chairman
Dirk Leasure, Commissioner
William Jessup, Commissioner
Ray Meurer, Harbor Superintendent
David Snyder, Assistant Harbor Superintendent

Guests:

Steve Bartush, Norwalk Resident
Andy Glazer, Glazer Construction
Hugh Montgomery, Southport Resident
Kirstie Morgan, Darien Resident
Thomas Ryder, Wetland Scientist, Landtech Consulting,
Callie Sullivan, Darien Resident
Robin Woods, Darien Resident

Matthew Marion took the chair at 7:36 p.m.

Mr. Marion confirmed that the Commissioners had reviewed and unanimously approved the December 4, 2014 meeting minutes electronically and that the minutes were then filed electronically with the Town of Darien and the City of Norwalk. He also confirmed that public notice of the February 19, 2015 meeting had been timely provided and that the agenda was timely filed with the Town of Darien and the City of Norwalk.

Mr. Marion welcomed the various guests, who were present to discuss the proposed dock at 123 Five Mile River Road, Darien, Conn. ("the Truwit application"). He noted at the outset that Commissioners Jessup and DeRegt had recused themselves from the Commission's discussions and decision regarding the Truwit application. He then requested the Applicant's technical consultant, Thomas Ryder of Landtech, and the site builder, Andrew Glazer (collectively "the Consultant"), summarize the plan for the proposed dock and also confirmed that those present should feel free to ask questions and seek clarifications as the presentation proceeded. Mr. Marion also indicated those present who lived close to the proposed dock would be given an opportunity individually to express their thoughts about the proposed dock.

As part of their presentation, the Consultant used enlarged drawings depicting the proposed dock structure and shoreline. At the outset, they confirmed that after preliminary discussions with neighbors they had agreed to reduce the length of the proposed pier from 126' to 106' which, in their view, brought the end of the float in line with existing private docks to the south.

Thus, as reconfigured, the proposed pier would be 106' long, the ramp would be 35' long, and the float at the end of the ramp 7' wide, for a maximum total length of 148'. (The end of the proposed float would be 105 feet from the closest dock to the south, according to the Applicant .) The Applicant noted that the location of the dock on the property and the angle at which it extends into the River were based upon their on-site consultation with a representative of DEEP, and were intended specifically to accommodate the grass and vegetation in the vicinity as well as the contours of the shore. A boatlift at the end of the dock is being considered to keep the boat above the River bottom at low tide and to protect the shellfish and marine vegetation in the benthic layer.

Mr. Marion then requested comments from Ms. Howard, Ms. Morgan, Mr. Montgomery and Ms. Woods. All spoke individually but were in agreement that the dock was a significant intrusion on the present view of the River and shoreline. They also agreed the proposed dock adversely impacted safe navigation and other uses of the River outside the federal channel by kayakers and boaters, and potentially harmed local shellfish beds and the benthic layer adjacent to the dock, and thus requested the Applicant consider shortening the proposed dock as much as possible, reduce the frequency of pilings, and eliminate the boatlift, all of which, the commenters believed, could be accomplished without eliminating reasonable access to navigable water.

Summing up the discussions, Mr. Marion noted that the shared goal of all stakeholders is to provide a dock that meets the needs of the landowner with the smallest permissible impact on the surrounding area. He urged all residents present to provide written statements regarding their comments so the commission can negotiate the best possible dock for everyone. He stated that everyone would be invited back to a second special meeting of the Commission, if needed, to finalize discussions regarding the dock. Mr. Marion thanked the guests for attending, and they left the meeting at 8:35 p.m.

Mr. Marion noted the Commission would review the dock application for 41 Rowayton Ave. at the next meeting on March 26, 2015. The owners and their representative, as well as members of the public, will be invited to the meeting.

The subject of dredging was then discussed. Chairman Marion and Commissioner Leasure reported that in Darien, a project is underway to dredge Gorham Pond using private-public funding and a potentially innovative technique to clean and re-purpose tainted dredged material so it can be used for beach restoration. Commissioner Leasure suggested similar consideration be given to forming a 501 (c)(3) to help fund dredging the Five Mile River. To help advance these discussions, Mr. Marion plans to invite an experienced marine consultant to attend the May 7, 2015 meeting.

Also, marina and boatyard operators along with representatives from the Darien Marine Police and the Norwalk Marine Police will be invited to the Commission's next meeting on March 26, 2015 to discuss issues of mutual interest and concern.

According to the year-to-date income and expense reports as of February 19, 2015 prepared by Tammy Papp, the Commission's administrative assistant, 2015 income totals \$20,800 and expenses total \$1,714. Income was \$7,800 ahead of income for the same period last year. The large increase was due to the electronic distribution of renewal notices to mooring holders plus a follow-up email reminder seven days prior to the February 15th deadline for renewals. Also, a significant contributing factor is that Boatworks now collects the harbor use fee directly from its dock customers. The Commission specifically thanked Boatworks, and confirmed that it will meet with the other boatyards and marinas and urge them to collect the harbor use fee directly from their customers.

Finally, the Harbor Superintendent reported the following:

- There were no boats on moorings between December 1st and mid-February.
- Mooring permit renewals were emailed to boat owners on December 23, 2014.
- A follow-up reminder to renew mooring permits was emailed on February 9, 2015.
- The Commission's 2014 Annual Report was filed electronically with the clerks in Darien and Norwalk.
- The boatyards and marinas were provided with a harbor use fee application and cover letter to include with each 2015 summer contract that they mailed to their customers.
- The Harbor Superintendent will send monthly email reminders to boat owners who have not paid the harbor use fee.

The meeting was adjourned at 9:03 p.m.

The remaining meeting dates for 2015 are March 26, May 7, June 11, July 23, September 10, October 22 and December 3. All meetings will be held in the Boardroom of the Rowayton Community Center beginning at 7:30 p.m.

Respectively submitted,
Ray Meurer
Harbor Superintendent