

**Five Mile River Commission
October 8, 2015 Meeting Minutes
The Boardroom, Rowayton Community Center
33 Highland Ave., Rowayton, CT 06853**

Commission members in attendance:

Matthew Marion, Chairman
Dirk Leasure, Commissioner
John deRegt, Commissioner
Ray Meurer, Harbor Superintendent
David Snyder, Assistant Harbor Superintendent

Guests:

Geoff Steadman, marine consultant

Matthew Marion took the chair at 7:30 p.m.

Chairman Marion confirmed the Commissioners had reviewed and unanimously approved the July 30, 2015 meeting minutes electronically, and the minutes were then filed electronically with the Town of Darien and the City of Norwalk. The public notice of the scheduled September 10, 2015 meeting was timely issued and the agenda timely filed with the Town of Darien and the City of Norwalk.

Consultant Geoff Steadman was invited by Chairman Marion to provide an overview of the Army Corps of Engineers' (ACE) dredging requirements. Mr. Steadman presented an aerial photo of the Five Mile River taken in August 2015 and an ACE chart of the river with depth readings along and outside the federal channel. Apart from decreased channel depth, the ACE survey appears to show boats moored slightly within the federal channel at several locations. The Commission discussed several options with Mr. Steadman, including relocating those particular sections of the mooring strings or possibly taking the necessary legislative steps to re-designate a portion of the federal channel as an anchorage. This approach has been used successfully in several other Connecticut harbours. The Commission, which is currently reconfiguring its moorings strings and is exploring the use of GPS coordinates as a location aid, agreed to explore the various options discussed at the meeting.

Regarding the start of the dredging application process, Mr. Steadman stated the first step involved a statement of necessity for dredging by the Commission to Norwalk and Darien. Once these two entities accede to the request, it is submitted to the U.S. legislators from Connecticut, who will then submit to the ACE a formal request to authorize dredging. After the ACE agrees to the request, they will arrange a new depth survey and toxicity testing of the river bottom at their expense. The results of the testing will impact where the spoils are deposited (i.e., western or central LIS) and whether they will need to be capped. In addition, however, New York and Connecticut are presently discussing the continued use of LIS for dumping

dredged material after 2015. Funds for dredging would likely come from the Connecticut Bonding Commission.

Mr. Steadman left the meeting at 8:33 p.m.

Chairman Marion reported that the building permit application for an assisted living facility at 123 Richards Avenue in Norwalk had been withdrawn pending an appeal to the Wetlands Commission. The Commission had previously filed its preliminary objection to the project with Norwalk's Planning & Zoning Commission.

Regarding the proposed dock at 41 Rowayton Ave., there has been no response from the DEEP about the concerns raised by the FMRC (lack of clearance under the pier and absence of any connection to the seawall). A notice about the proposed dock appeared in the *Norwalk Hour*.

Chairman Marion reported there were a number of open issues regarding the dock application at 215 Rowayton Ave. and indicated that he would request the dock consultant's attendance at the Commission's October 22nd meeting.

The temporary storage of floating docks on moorings was discussed. Chairman Marion directed the Harbor Superintendent to remind marine service providers to provide advance notice before bringing docks into the river for such temporary storage.

According to the year-to-date income and expense reports as of October 7, 2015, prepared by Tammy Papp, the commission's administrative assistant, 2015 income totals \$54,050 and expenses total \$8,678. Income was \$4,000 ahead of YTD income for 2014 due primarily to the electronic distribution of renewal notices, increased collection efforts, and one marina's direct collection from its dock customers of the harbor use fee on behalf of the Commission.

The Harbor Superintendent reported that he has been sending monthly reminders to individuals who failed to pay the use fee in 2015. To date, 181 boat owners who keep boats in slips at commercial marinas have paid the harbor use fee. The Harbor Superintendent will continue to send reminder notices electronically to non-payers and will pursue other means to collect payment.

At the Commission's request, the Harbor Superintendent drafted a "Ground Tackle Inspection Protocol" that now requires formal confirmation by marine service providers (in addition to the boat owners) when they complete the bi-annual mandatory inspections and repairs of ground tackle. This protocol will be put in place in 2016. Marine service providers will be sent a list of moorings to be inspected and repaired as necessary, and will confirm successful completion of this work.

The meeting was adjourned at 8:48 p.m.

The remaining meeting dates for 2015 are October 22 and December 3. The meetings are in the Boardroom of the Rowayton Community Center beginning at 7:30 p.m.

Respectively submitted,
Ray Meurer
Harbor Superintendent