

# **Five Mile River Commission Annual Report 2010 Town of Darien**

## Introduction

The purpose of this report is to provide the Town of Darien with an annual summary of the Five Mile River Commission's (FMRC) operations for 2010 as required by the ordinances governing Five Mile River.

The report also includes a statement as to whether or not the FMRC recommends any changes to the current ordinances governing the Five Mile River (the River) that have been adopted by the Town of Darien.

## Background

The FMRC is an agency of the State of Connecticut established by Connecticut statute with regulatory jurisdiction over the use of the Five Mile River. The Commission concerns itself with the safe navigation, pollution and conservation of the River and its drainage basin.

There are four Commissioners, two from the town of Darien and two from the City of Norwalk, who are appointed by the Governor of Connecticut. This equal representation recognizes that the Five Mile River is geographically surrounded on the east by the Town of Darien and on the west by the City of Norwalk.

## FMRC commissioners

Matthew Marion, Chairman, 16 Harstrom Place, Rowayton, CT  
John deRegt, 6 Vincent Place, Rowayton, CT  
William Jessup, 122 Five Mile River Road, Darien, CT  
Dirk Leasure, 94 Five Mile River Road, Darien, CT

## FMRC staff

Ray Meurer, harbor superintendent, 30 Rowayton Ave., Rowayton, CT  
David Snyder, assistant harbor superintendent, 23 Chipmunk La., Norwalk, CT  
Tammy Papp, administrative assistant, 95 Rowayton Ave., Rowayton, CT

## FMRC meetings

Meetings are held in the Board Room of the Rowayton Community Center, 33 Highland Ave., Rowayton, beginning at 7:30 p.m. Meeting dates for 2010 were January 14, March 4, May 6, September 14 and November 30.

## Review of the highlights of the FMRC operations for the year 2010.

The FMRC is authorized under its governing ordinances to collect an annual harbor use fee from all boats berthed at docks or moored in the River. The harbor use fees are collected to cover future maintenance dredging as well as the Commission's day-to-day operating costs incurred while managing the River. In 2010, harbor use fee collections totaled \$44,100; operating expenses totaled \$11,691. These fees were deposited in a special fund maintained for the Commission by the controller of the City of Norwalk (subject to examination by the finance officer of the Town of Darien). As of December 31, 2010, there was \$440,260 in the special fund. Interest income for 2010 was \$7,987.

Mooring location permits are issued annually by the harbor superintendent. In 2010, 122 permits were issued to recreational boat owners. In addition, 238 boats were berthed at docks owned by boatyards, marinas and private individuals along the River.

A wait list is maintained of boat owners requesting a mooring location in the River. The number of boat owners on the wait list during 2010 ranged from a low of 52 to a high of 63. The wait list includes people whose boats are only suitable for certain mooring locations due to length or draft. Others on the wait list are waiting to purchase boats. During the year two boat owners were assigned mooring locations in the River for the first time. The wait list is made available to the City of Norwalk clerk's office, the Town of Darien clerk's office, the Rowayton Library and the Darien Library. It is also available directly from the Harbor Superintendent.

Service mooring location permits are issued each year solely for repair and commissioning purposes to qualified marine service operators for service to their customers. The service mooring are also made available free of charge to transient vessels. Seven such permits were requested and issued in 2010 in accordance with the governing regulations. In addition, there are pending enforcement proceedings and a litigation involving B&G Marine with regard to other service moorings in the River.

The FMRC meets annually with representatives from the working boat yards on the River to discuss mutual interests and concerns. This year's meeting on March 4 was attended by five representatives from three boatyards and one marina. There was a general discussion about boats speeding in the river, safety concerns about kayaks using the Federal Channel, the need to inspect mooring ground tackle every two years, use of bridles bow and stern to secure boats on moorings, the requirement for boat owners to provide proof of liability insurance and the holding power of mushroom anchors versus pyramid anchors.

The FMRC continues to maintain two "No Wake Zone" floating buoys in the River: one at the entrance to the harbor and a second one 200 yards from the entrance. "Slow No Wake" signs were provided to two boatyards to install on

their pilings to remind boaters that the river is a no wake zone. The river's no wake policy is enforced by the Norwalk Marine Police and the Darien Marine Police.

The FMRC also maintains a "No Discharge Area" buoy at the mouth of the River.

The U.S. Coast Guard granted permission to the FMRC to maintain a red nun marked "4A" and a green nun marked "5" at the mouth of the River to ensure safe navigation as boaters enter the River. The new floating aids to navigation are designated as "private aids to navigation" and are authorized to be put in place seasonally between April and November. The aids were first installed for in April 2009.

A number of applications for docks and other waterfront construction activities on the River were received from the Department of Environmental Protection and reviewed by the Commission. The location of the properties included 55, 65, 97 and 101 Rowayton Ave. as well as 70 and 135 Five Mile River Road, Darien, Conn.

The Commission notes that the River is in good shape and plans to study a number of projects including a review of the governing ordinances and policies, further boater education initiatives that pertain to the River and winter storage arrangements, if any, for docks and floats.

Signed,  
Matthew Marion  
Chairman, Five Mile River Commission