

Five Mile River Commission  
March 23, 2023 Meeting Minutes

*In attendance:*

Matt Marion (Chairman)

Wim Jessup (Commissioner)

John deRegt (Commissioner)

Craig Jung (Commissioner)

and

Steve Bartush (Harbor Superintendent)

The Five Mile River Commission commenced its meeting via Zoom at 6:03 p.m.

Chairman Marion reported that he and Commissioner Jung met with the City of Norwalk's Comptroller and her staff regarding the City's late 2022 interest recalculation, which reduced the balance of the Commission's dredging fund by \$27,264.78. The Comptroller provided documentation related to its purported misallocation of interest to the Commission's fund. The Commission is reviewing the documentation and Mr. Marion agreed to provide an update at the Commission's May meeting.

Next, the Commission discussed the dredging application for 135 Five Mile River Rd. in Darien. The applicant's claimed right to dredge an accessway between his dock and the federal channel is based on a unique 1954 decision by the Connecticut Flood Control and Waterfront Commission, which was later expanded in 1996 decisions by DEEP and the Army Corps of Engineers and acted upon in 2000 when the applicant last dredged the accessway. After completing that discussion, the Commission agreed to draft and circulate a decision for final approval.

The Commission then noted/discussed the following items in Harbor Superintendent Bartush's March report: (i) a possible discrepancy between the Commission's decision regarding the dock application covering 27 Rowayton Avenue and the DEEP's subsequent approval of that application; (ii) the identification and possible removal of buoys near Butler's Creek; (iii) potential ways to reduce the mooring wait list for incoming boats on the river in 2023; (iv) the delayed collection of 2023 harbor use fees and delayed mooring applications; (v) the optimal siting of the second 'No Wake' buoy near the harbor mouth; and (vi) early season Dockwa bookings.

After discussion regarding these items and with no further business, the meeting concluded at 6:50 pm. The Commission's next scheduled meeting will be held on Thursday, May 18, 2023, at 6:00 p.m., via Zoom. To join the meeting, please contact Matt Marion in advance of the meeting via email at [mmarion@marionlawllc.com](mailto:mmarion@marionlawllc.com) to obtain the relevant meeting entry code.

Respectively submitted,

Five Mile River Commission  
and Harbor Superintendent