



Town of Barnstable
Community Services Department
Marine and Environmental Affairs Division
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Shellfish Committee Minutes of the Meeting

DATE: April 19, 2017

TIME: 7:35 P.M. to 8:35 P.M.

LOCATION: Senior Center, 825 Falmouth Road, Hyannis

Shellfish Committee Members present: Chairman: Stuart Rapp, Al Surprenant, William Shumway, Richard Haskell, and Linda Romano

Shellfish Committee Members absent: Robert Lancaster, Gerard Ganey, Andre Sampou

General Public present: Christopher Freeman, John Nawoichik, Mark Begley

Town Council Liaison present: Phil Wallace

Town Staff present: Tom Marcotti, Amy Croteau, Liz Lewis, Terri McDonald

Stuart Rapp chaired the April 19, 2017 meeting of the Shellfish Committee. Stuart Rapp took a roll call of members present at the meeting. Stuart Rapp read a notice at the beginning of the meeting:

NOTICE OF RECORDING "Please note that tonight's meeting is recorded and broadcast on Channel 18 and, in accordance with MGL Chapter 30A, s. 20, I must inquire whether anyone is taping this meeting and to please make their presence known."

1.) Meeting Minutes:

The Shellfish Committee unanimously approved a motion made by Linda Romano and seconded by William Shumway to approve the Meeting Minutes from December 28, 2016.

2.) Chairman's Comments:

None.

3.) NR Propagation Report:

Tom Marcotti reported the annual DMF water quality closure of North Bay, Pirates Cove in Cotuit Bay and the Mills River along the Yarmouth border and Cummaquid will start May 1st.

The relay stock from the Taunton River will be put at Bluff Point, so that area will be closed as well.

East Bay may soon be open seasonally because the water quality has been improving.

1. The following were discussed:
 - i. Daniel S. & Elizabeth W. Lynch, Trustees of the Fox Island Realty Trust. Proposed beach nourishment at 132 Fox Island Rd., Marstons Mills as shown on Assessor's Map 096 Parcel 019; Withdrawn from Conservation Commission on 4/18/17.
 - ii. Carlo A. & Hillary H. Von Schroeter, Trustees of the Von Schroeter Family Trust. Modify existing pier by adding 3', replacing ramp with 3' x 30' ramp, repositioning float, and dredging in North Bay, Osterville as shown on Assessor's Map 093 Parcels 073 & 079; Continued until 5/21/17 by Conservation Commission.
 - iii. Elizabeth C. Logie, Trustee of the Muirkirk Realty Trust. Proposed coastal stabilization consisting of fiber rolls and sand-filled envelopes at 488 Baxters Neck Rd., Marstons Mills as shown on Assessor's Map 075 Parcel 038; Shellfish Committee has no vote on this matter.
 - iv. David Drake & Jacqueline Linas. Construct new pier, ramp and float on the Centerville River at 1112 Craigville Beach Rd., Centerville as shown on Assessor's Map 206 Parcel 136; Continued by Conservation Commission until 5/30/17. No vote made.
 - v. Cape Beach House LLC. Construction of perched beach at 27 Marchant Avenue, Hyannisport as shown on Assessor's Map 286 Parcel 25.; Shellfish Committee has no vote on this matter
 - vi. Robert Goodwin, Trustee of Deep water Realty Trust. Dredge portion of Hyannis inner harbor at 157 Pleasant Street, Hyannis. Shellfish Committee has no vote on this matter

2. **Old Business**

Discussion and possible vote regarding the Town of Barnstable Shellfish, Eel, Herring and Aquaculture Regulations:

- i. §407-17 C. (1) Tide/Depth restrictions Southside harvest restrictions;

The Shellfish Committee discussed this regulation and the possibility of changing the depth restrictions for pumping on the southside. Natural Resources will develop a plan in changing the depth restriction regulation for the Mills River and Prince Cove.

- ii. Wherever the Regulations refer to a "Massachusetts bed certificate" (which term no longer exists in the Division of Marine Fisheries regulations language) change the term to a "Massachusetts commercial shellfish and seaworms permit";

The Shellfish Committee unanimously approved a motion made by Richard Haskell and seconded by Linda Romano to approve to change the wording of "Massachusetts bed certificate" (which term no longer exists in the Division of Marine Fisheries regulations language) to the term a Massachusetts commercial shellfish and seaworms permit";

- iii. Wherever the Regulations refer to the word "bag" in terms of a commercial harvest limit change that term to "tote baskets";

The Shellfish Committee unanimously approved a motion made by Linda Romano and seconded by William Shumway to approve to change the wording of “bag” in terms of a commercial harvest limit and change that term to “tote baskets”.

3. **New Business**

- i. Transfer of shellfish aquaculture site ng007, 1.97 acres licensed to Eric Hildreth (lic. # 96-12) to James Bright and issuance of a new license to James Bright for 5 years. Location: ng007: A designated portion (1.97 acres) of intertidal flat in mid-Barnstable Harbor north of Duck Island.

The Shellfish Committee discussed the issue of maximum height restrictions requested by the Harbormaster, changes have been made in Mr. Bright's Application.

- ii. Application filed by Kathryn McCarthy-Martin for the renewal of shellfish aquaculture licensed site ng014, being a designated portion (2 acres) of the intertidal flat in mid-Barnstable Harbor north of Sand Island, lic. # 12-02, and issue her a new license for Ten (10) years.

The Shellfish Committee discussed the transfer. The Shellfish Committee unanimously approved a motion made by Al Surprenant and seconded by Linda Romano to recommend approval of the above transfer and renewal.

- iii. Application filed by Christopher Freeman for the issuance of a new shellfish aquaculture license for the site located on an intertidal flat in mid-Barnstable Harbor north of Duck Creek and known as site ng 052 consisting of 1.95 acres.

The Shellfish Committee discussed the transfer. The Shellfish Committee unanimously approved a motion made by Richard Haskell and seconded by Linda Romano to recommend approval of the above new application filed by Christopher Freeman for the issuance of a new shellfish aquaculture license for the site located on an intertidal flat in mid-Barnstable Harbor north of Duck Creek and known as site ng 052 consisting of 1.95 acres.

- iv. Amending Article IX of the Town of Barnstable Aquaculture License Regulations as follows **“There shall be no equipment or gear made of metal that rises more than eighteen (18”) inches above the ocean floor, and equipment or gear made of plastic (or some other equally flexible, non-metal material) higher than twenty-four (24”) inches above the ocean floor, within the boundaries of a licensed area.”**

The Shellfish Committee discussed the height description and possible changes to the Regulations. No changes will be made at this time.

- v. Application filed by Scott Mullin for the issuance of a license to operate a floating upweller system (flupsy) for the sole purpose of culturing shellfish and which will be located in a designated portion of subtidal area in a Millway Marine slip in the Barnstable Inner Harbor the size to be no more than .003 of an acre.

The Shellfish Committee unanimously approved a motion made by Al Surprenant and seconded by William Shumway to recommend approval of the Application filed by Scott Mullin for the issuance of a license to operate a floating upweller system (flupsy) for the sole purpose of culturing shellfish and which will be located in a designated portion of subtidal area in a Millway Marine slip in the Barnstable Inner Harbor the size to be no more than .003 of an acre.

Next Meeting will be held at the Senior Center, 825 Falmouth Road, Hyannis on May 17, 2017 at 7:30 p.m.

Respectfully Submitted:

Terri McDonald, Administrative Assistant