

Town of Barnstable  
Shellfish Committee  
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**Shellfish Committee Minutes of the Meeting**  
**DATE: September 18, 2019**  
**TIME: 7:00 P.M. to 8:10 P.M.**  
**LOCATION: Senior Center, 825 Falmouth Road, Hyannis**

**Shellfish Committee Members present:** Chairman: Stuart Rapp, Jacob Angelo, Paul Caruso, Patricia Farinha, Al Surprenant, Bill Shumway and Robert Lancaster

**Shellfish Committee Members absent:** None

**General Public present:** Tyler Hagenstein, Gordon Starr, Nathan Jones – Coastal Engineering Co. and Carlton & Christine Sands

**Town Council Liaison absent:** Phil Wallace

**Town Staff present:** Nina Coleman – Director of Natural Resources/Sandy Neck Park Manager, Tom Marcotti – Shellfish Biologist, Amy Croteau – Senior Natural Resource Officer/Shellfish Constable and Lisa Henderson – Clerk of the Board

**State Officials, Division of Marine Fisheries:** Greg Sawyer and Neil Churchill

Stuart Rapp chaired the September 18, 2019 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 voted by majority to approve a Motion made by Robert Lancaster and seconded by Paul Caruso to approve the Meeting Minutes from August 21, 2019 as written.

2. **Chairman's comments:** Stuart Rapp inquired who to contact with Pumpout Boat questions. Nina Coleman stated that all Pumpout Boat questions be directed to the Harbor Master.

3. **Natural Resources Report:**

Tom Marcotti presented an update on the annual DMF closure due to water quality in Barnstable Harbor which began September 15<sup>th</sup> and goes until December 15, 2019 (with the passing of water quality testing).

Accolades to Elizabeth Lewis, Shellfish Technician, and her seasonal staff for having done a great job again this year. Approximately 3 million quahogs produced this year with about 2 million under 100 plus nets.

Marcotti's review of shellfish permits sold to date for 2019 is 2522 which is up 125 over 2018.

Amy Croteau reported that scallop season will be opening recreationally on Saturday October 5, 2019 and commercially Monday October 7, 2019. Oyster season will open Town wide Saturday November 2, 2019. The recreational area of Scudder Lane will also re-open Saturday November 2, 2019.

Croteau will be going out with the Town of Yarmouth's Shellfish Constable as well as Jim Benoit of the Town of Barnstable GPS department on October 3<sup>rd</sup> to mark the town line in Lewis Bay. They will GPS the points so the line can be re-created in the future years to eliminate any ambiguity.

4. **Old Business:** None

5. **New Business:**

**A. Status of pending NOI pier applications before the Conservation Commission:**

Applicant: Assembly Required, LLC & Barnstable Land Trust  
Property Location: Main Street & East Bay Road (7 parcels)  
Osterville, MA 02655  
Proposed Project: Tidal restoration – Little Parker's Pond  
Conservation Committee Hearing Date: 9/17/2019

Application was discussed, no impact on shellfish, no vote taken.

**B. Status of pending NOI pier applications before the Conservation Commission:**

Applicant: Carlton C. Sands Jr. and Christine A. Sands  
Property Location: 4 Bay Shore Road  
Hyannis, MA 02601  
Map 326 / Parcel 082  
Proposed Project: Revised Plan: Construct seasonal dock system (pier, ramp and float)  
Conservation Committee Hearing Date: TBA

Application was presented by Nathan Jones of Coastal Engineering LLC, representing the applicants. The Committee discussed the application and no vote was taken. The Committee suggested that Marcotti submit his findings report to the Conservation Committee and allow them to make the determination.

**C. A presentation by Division of Marine Fisheries, represented by Greg Sawyer - Senior Biologist and Neil Churchill.**

Sawyer gave a background on the required procedures and standards for classification, water quality testing, opening and closures for shellfishing. Sawyer then discussed specifically the Barnstable Harbor designated areas: CCB33.0, 31.1, 31.2, 34.1. The historical migratory water fowl is the main cause of this conditional closure. Maintaining current classifications is the primary goal with the resources currently available to DMF.

Jacob Angelo inquired on how to have an area reclassified. Sawyer and Churchill explained that having an area reclassified is cumbersome and will take resources away from maintaining the current classifications of the other areas. One option would be for the Town to make a formal request to DMF asking them to redirect their resources from one area in their community to another. Another option would be to contact your State Representative to push for more funding to the DMF Department which could help with availability of future resources.

**D. Discussion of proposed rule and regulation changes pertaining to Shellfishing, Eel, Herring and Aquaculture.**

The Natural Resources Division of the Marine and Environmental Affairs Department has proposed some rule and regulation changes that pertain to Shellfishing, Eel, Herring and Aquaculture.

One proposed change would remove the dates in the regulation of commercial harvest of common razor clams in recreational areas. This would allow any regulatory changes be a Town Manager order and avoid the annual cumbersome regulatory renewal process allowing for easier transition for the annual openings.

The second option would be to let this regulation expire and it will go back to its original form. Should this be the avenue, the regulation can still be revisited in future should it be warranted. After our Legal Department reviews these proposed changes, Croteau will then present them to this Committee for approval.

**6. Matters not reasonably anticipated by the Chair:**

Al Surprenant commented about hearing rumors regarding shellfishing within the Town of Barnstable. Staff requested that any rumors or innuendo be brought to attention of the Natural Resource Department. This would allow for any misinformation be substantiated, addressed and or corrected.

7. **Public Comment: None**

The Shellfish Committee unanimously approved a motion made by Robert Lancaster and seconded by Paul Caruso to adjourn.

Respectfully Submitted,

Lisa Henderson – Clerk of the Board