



Town of Barnstable
Marine and Environmental Affairs Department
1189 Phinneys Lane, Centerville MA 02632
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Natural Resources 508-790-6272
Harbormaster 508-790-6273
Animal Control 508-790-6274
Sandy Neck 508-790-6272
Gatehouse 508-362-8300 (April – Nov)

Derek Lawson, Director
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SHELLFISH COMMITTEE
MINUTES OF THE MEETING
DATE: April 14, 2021
TIME: 6:30 P.M. to 730 P.M.

This meeting was held via ZOOM
Physically closed to the public to avoid group congregation.

Shellfish Committee Members present: Stuart Rapp, Robert Lancaster, William Shumway, Paul Caruso, Patricia Farinha, Jacob Angelo, Tyler Hagenstein

Shellfish Committee Members absent: Al Surprenant

General Public present:

Town Council Liaison present: Kristine Clark

Town Staff present: Liz Lewis, Shellfish Biologist

Stuart Rapp called the meeting to order, as April 14, 2021 meeting of the Shellfish Committee.
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."

TOPICS FOR DISCUSSION

1. **Approve Meeting Minutes:** March 10, 2021 Meeting Minutes

The Shellfish Committee unanimously voted by roll call to approve a motion made by Robert Lancaster and seconded by William Shumway to approve the March 10, 2021 Meeting Minutes as amended.

2. **Chairman's Comments:** None

3. Natural Resources Report:

Shellfish Biologist Liz Lewis reported the following:

Recreational Shellfish Permits Sold to date:

Permit Type	2020	2021
Resident	380	583
Senior Resident	292	654
Non-Resident	130	319
Seasonal	0	0
NR Veteran	10	18
NR Senior Veteran	37	53
TOTALS	834	1627

Oyster Season Closed April 1st at Scudder Lane as well as the Recreational Shellfish Area.

Oyster Season on the south side is open until 04/28/21 at Bay Street.

Largest Oyster Contest:

What's the largest Oyster you have evah slurped?

Join in on the delicious fun and enter the BIGGEST OYSTER SLURP Contest!

We are holding an oyster contest for the month of April! The person who eats the largest oyster on the half shell from Bay Street will win a peck basket, a clamming life t-shirt, and a golden oyster “medal”.

- To enter, the person must send in two pictures; one is the oyster with a ruler (to get the measurement) and the other is of the person slurping it down!
- Largest oyster wins! Tie goes to the best slurping picture.
- All entries can be submitted by 4/28/2021 to Elizabeth.Lewis@town.barnstable.ma.us.
- The winner will be chosen April 30th!
- **CONTEST OPEN TO: VALID 2021 BARNSTABLE RECREATIONAL SHELLFISH PERMIT HOLDERS ONLY | Bay Street Harvest**

Centerville River Relays for Commercial Shellfisherman Only:

We will be conducting Centerville River Relays once again this year. The relay dates and times are attached. It will only be open to Commercial Shellfishers due to COVID; same as last year. If we reach the 250 bushel quota early, the following relay dates will be cancelled. I will send out another email if the relays end early.

Should you choose to participate in the relays, you will need to fill out the attached W9 form (regardless if you've done one before) and the Centerville River Agreement with your signature and hand them in at the landing **before the relay begins**. You will not be able to participate without these two forms

completed. If you need paper copies, please email me back and we can arrange a time for you to pick them up.

**SPRING 2021 SCHEDULE
CENTERVILLE AND BUMPS RIVER CONTAMINATED QUAHOG RELAY**

MEET AT HAYWARD LANDING

Boat leaves the landing at the times below. Check-in is 15 minutes before time listed.

High Tide Dates for Dragging:

May 6th, Thursday 6:30AM-12:00PM
May 7th, Friday 7:00AM-1:30PM

Low Tide Dates

May 17th, Monday 8:30AM-2:00PM
May 18th, Tuesday 9:00AM-2:30PM
May 19th, Wednesday 9:30AM-3:00PM

*Bushel baskets will be provided, but the contractor must supply all other gear.

*Town will pay \$40 per level bushel (orange tote basket) at the end of contaminated relay season. It is your responsibility to fill out the required paperwork or you will not be paid.

*Relays will end early if 250 bushel quota is reached. Please call Natural Resources prior to date to ensure the relay is still ongoing.

\$10,000 is budgeted for the relay.

May 1st Closures:

North Bay, Prince Cove, Mills River, Pirates Cove, Mill Creek, East Bay, new closure area: Hyannis Outer Harbor Mooring this area re-open beginning of November.

Last day to harvest oysters in North Bay is April 28

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

- A. Applicant: Raymond J. & Kristin S. Sexton
- Project Location: 573 Santuit Road, Cotuit, MA 02635
- Representative: John O’Dea, Sullivan Engineering & Consulting, Inc.
- Proposed Project: To construct and maintain stairs, boardwalk, pier, ramp and float
- Conservation Hearing Date: 03/30/2021 6:30PM via Zoom

The Committee discussed the following points: Project is located in Popponesett, the area is totally mud and a compromised habitat. The pier next to the project area the float sits in the mud at low tide. Hearing was on 3/30/21. No vote.

- B. Applicant: James Dolce
- Project Location: 501 Eel River Road, Osterville, MA 02655
- Representative: Robert Braman, Braman Surveying and Associates, LLC

Proposed Project: Install an 8'x24' pile held float with a 3' 14' gangway off of an existing pier.
Conservation Hearing Date: 04/06/2021 at 4:30PM via Zoom

Already heard by Conservation on 04/06/21. All the way up in Eel River in a compromised area. NR had no objections. No vote.

5. Upcoming (and Old) Renewal & Transfer Hearings:

- A. Hearing for aquaculture renewal of the aquaculture license #16-02 (site ng039) in Barnstable Harbor for Douglas E. Crook, Jr, 11 Calvin Hamblin Road, Marstons Mills, MA 02648 for a period of 10 years. Public hearing to be held via Zoom, 04/06/2021 10:00AM.

Natural Resources supports this renewal. Hearing already took place. No Vote from the Committee.

- B. Hearing for the aquaculture renewal of aquaculture license #16-01 (site ng009) in Barnstable Harbor for Wayne R. Hayes, 37 Anthony Drive, Hyannis, MA 02601 for a period of 10 years. Public hearing to be held via Zoom. 4/20/2021 9:00AM.

Natural Resources supports this renewal.

The Shellfish Committee unanimously voted by roll call to approve a motion made by Paul Caruso and seconded by Jacob Angelo to recommend approval of the aquaculture renewal of aquaculture license #16-01 (site ng009) in Barnstable Harbor for Wayne R. Hayes, 37 Anthony Drive, Hyannis, MA 02601 for a period of 10 years.

6. New Business:

- A. General discussion and possible vote regarding moorings and their impact on shellfish habitat.

Paul Caruso presented:

Issues with moorings: Helix moorings more shellfish friendly than mushroom anchors. They are more expensive due to the installations. They also are more difficult to inspect. Helix do not work in area of high muck. Joes Grant Area and Bay Street are areas that could use the Helix.

The Committee requested that the Mooring Officer, Jay Horn come and discuss the topic of the Helix mooring to educate the Committee. Stuart will reach out to Officer Horn and invite him to come next month's meeting.

6. Old Business:

- A. Proposed regulation changes pertaining to transfer of recreational permits and recreational permit suspensions: §1-5 and §407-71 for VOTE.

This item was discussed among the Committee.

The Shellfish Committee unanimously voted by roll call (Members (6): Angelo, Hagenstein, Lancaster, Caruso, Farinha, Rapp, Shumway did not vote.) to approve a motion made by Jacob Angelo and seconded by Robert Lancaster to approve the amending of the Shellfish Regulation §407-71 Revocation or suspension of Town permit as follows:

Adding the wording highlighted in **bold**:

The Town of Barnstable shellfish permit, recreational or commercial, may be revoked or suspended by the Town Manager for any violation of the Town shellfish regulations. A hearing with the Town Manager will be afforded on revocations. **Recreational shellfish permits may also be suspended by the Director of Natural Resources at the request of the Shellfish Constable or a Natural Resource Officer for non-compliance with shellfish regulations. Any person who is issued a suspension will be provided the opportunity for a hearing with the Director of the Marine and Environmental Affairs Department. Any person desiring such a hearing must submit a written request for said hearing postmarked within five business days of the effective date of suspension. An appeal of the Director of the Marine Environmental Affairs Department's decision may be filed with the Office of the Town Manager within five days of issuance of said decision.**

§1-5 Proposed increase in fine from \$15 to **\$75**:

The Shellfish Committee unanimously voted by roll call (Members (7): Angelo, Shumway, Hagenstein, Lancaster, Caruso, Farinha, Rapp) to approve a motion made by Jacob Angelo and seconded by Paul Caruso to approve the amending of the Shellfish Regulation §1-5 Proposed increase in fine from \$15 to **\$75**.

7. **Special Presentations:** None.

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

Counselor Kris Clark updated the Shellfish Committee on the last Town Council Meeting. The Council voted on 22 of 45 Capital Improvement Projects (CIP). One CIP is for improvements at the Scudder Lane Boat Ramp in Barnstable, which the Council appropriated \$150,000 for FY2022 for the funding of the design and permitting. The Council also approved a second stage for FY2023 (pending approval of Town Council for FY2023 Budget) \$650,000 was approved for Construction and Construction Management. Councilor Clark received a comment and request from a commercial shellfisherman that Granite Curbing not be used on this project as it impedes trailer maneuvering on the ramp. Chairman Rapp was asked to compose a letter to the Town Manager expressing this request. Councilor Clark believes the plan for reconstruction may use cement slabs and not pavement. Councilor Clark and Councilor Starr met with Sr. NRO Officer Amy Crouteau and discussed additional items that need to be addressed in the parking area of Scudder Lane Boat Ramp, ie: fixing the guard rails and realigning legal way to eliminate overgrowth that has encroached on parking along Scudder Lane.

The Shellfish Committee unanimously voted by roll call to approve a motion made by Jacob Angelo and seconded by Paul Caruso to have Chairman Rapp to send a letter to the Town Manager that granite curbing with 90 degree edge not be used on the Scudder Lane Boat Ramp Reconstruction Project.

Patricia Farinha the following comments:

Appointment expirations of the Committee Members are as follows:

Rapp, Stuart - Chair- exp. 6/30/2022

Angelo, Jacob- exp. 6/30/2021

Caruso, Paul- exp. 6/30/2022

Hagenstein, Tyler- exp. 6/30/2021
Lancaster, Robert- exp. 6/30/2021
Surprenant, Albert- exp. 6/30/2023
Farinha, Patricia- exp. 6/30/2023
Shumway, William- exp. 6/30/2021

May 6, 2021 is the next Barnstable Town Council Meeting, Patricia Farinha plans on speaking regarding the recent approval of dock applications and the concerns she has as well as concerns of the Shellfish Committee.

Patricia Farinha may not attend Shellfish Committee Meeting scheduled for May 12, 2021.

The Shellfish Committee unanimously voted by roll call to approve a Motion made by Paul Caruso and seconded by Stuart Rapp to adjourn.

Respectfully submitted: Terri McDonald – Clerk of the Board