



Town of Barnstable
Marine and Environmental Affairs Department
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Derek Lawson, Director
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SHELLFISH COMMITTEE
MINUTES OF THE MEETING
DATE: September 14, 2022
TIME: 6:30 PM-6:58 PM

Shellfish Committee Members present: Stuart Rapp, Robert Lancaster, Patricia Farinha, Bill Cherepon, Tyler Hagenstein, Douglas Crook

Shellfish Committee Members absent: Jake Angelo, Al Surprenant

General Public present:

Town Council Liaison present: Kristine Clark

Town Staff present: Amy Croteau, Senior Natural Resource Officer/Shellfish Constable

Stuart Rapp called the meeting to order, as September 14, 2022 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:** Patricia Farinha moved to accept August 10, 2022 minutes as presented, which was then seconded by Douglas Crook. Unanimous vote in favor.
- 2. Chairman's Comments:** Mr. Rapp is questioning whether or not the rocks all along Bay St in Osterville and signs that say no parking will affect parking on Bay St. for oysters. Shellfish Constable Croteau stated that Bay St will be effectively abandoned for the next three years for oysters, and they will be planted in the Bridge St. recreational area instead.
- 3. Natural Resources Report/Correspondence:**
 - A. July and August Permit Numbers**

For the month of July, the numbers from 2021 to 2022 were up in pretty much every category. August had general increase as well.

B. September closures review

Wayne will be doing the first round of water quality samples in conditionally closed areas with Simone in hopes of eventually reopening. Scallop season notice is pending town manager signature, and is opening recreationally October 1st and commercially October 3rd. The season automatically closes April 1st and measurements and limits remain the same. Oyster season opens November 2nd and will close April 1st unless there is decision to close early.

4. New Business:

A. 2022 Regulation changes for vote

1. Adding definitions for low tide, sunrise, and sunset

Low tide: For enforcement purposes, low tide is based on the Boston Tide Calendar available at the Marine Environmental Affairs department. For all waterbodies on the North side of town, Cape Cod Bay, and Barnstable Harbor low tide is 0.5 hours after the time listed in the Boston Tide Calendar. For all waterbodies on the South side of town, including Nantucket Sound, low tide is 1 hour after the time listed in the Boston Tide Calendar.

Sunrise: For enforcement purposes, time of sunrise is based on the Boston Tide Calendar available at the Marine Environmental Affairs department.

Sunset: For enforcement purposes, time of sunset is based on the Boston Tide Calendar available at the Marine Environmental Affairs department.

2. Shrinking the closed to commercial zone and having the recreational area at Scudder stay the same, while also keeping that Huckins Island is still off limits. The wording highlighted in bold and crossed out will be taken out and the highlighted wording will be added.

§407-14

H. Northside commercial shellfishing area restriction. The commercial harvest of shellfish shall be allowed east of a line extending north from the Barnstable Yacht Club pier, ~~to a post and sign at Green Point, Sandy Neck, and West of Beach Point, Sandy Neck, except as otherwise noted or amended.~~

§407-19

B. The commercial harvest of soft shell clams shall be allowed west of a line extending from Calves Pasture Point ~~to the eastern bank of Wells Creek, including the westernmost portion of Little Huckins Island and all tidal flats associated with said island, west of the "Closed to Commercial Shellfishing" signposts as posted by the Natural Resources Office.~~ Commercial harvest is prohibited on Huckins Island and all tidal flats associated with said island.

§407-22

C. Commercial quahog harvest area restriction. The commercial harvest of quahogs shall be allowed east of a line extending north from the Barnstable Yacht Club pier, ~~to a post and sign at Green Point, Sandy Neck, and West of Beach Point, Sandy Neck.~~

§407-36

C.

(2) Harvest area restriction. The commercial harvest of jackknife clams and common razor clams shall be prohibited in ~~allowed in Barnstable Harbor west of Beach Point, Sandy Neck, excluding~~ the Scudder Lane Recreational Shellfishing Area, Huckins Island, all tidal flats associated with the island and areas closed for management and/or pollution closures. The commercial harvest of jackknife clams and common razor clams in the area stated above shall be effective Tuesday, January 1, 2019, through Tuesday, December 31, 2019.

Beginning January 1, 2020, the opening and closing of the above-mentioned area shall be governed by § 188-4A(2) of the Barnstable Town Code.

(3) The commercial harvest of jackknife clams and common razor clams shall be allowed west of a line extending north from Calves Pasture Point, ~~to the eastern bank of Wells Creek,~~ excluding Huckins Island and all tidal flats associated with said island. Commercial harvest is prohibited on ~~these~~ this island. Harvest method: Razor clams may be taken with a standard clam hoe (rake) in areas designated by the Town Manager. No shovels, forks or other devices or materials shall be used, unless approved by the Natural Resources Office.

~~(4) The commercial harvest of jackknife clams and common razor clams shall be allowed on the eastern half of Great Thatch Island, Barnstable Harbor, as posted, subject to the above listed restrictions.~~

Robert moved to accept changes to 2022 regulations as discussed and presented, and Patricia seconded. Tyler Hagenstein recused himself from vote and discussion. There was a unanimous vote in favor.

5. Upcoming (and Old) Renewal & Transfer Hearings: None

6. Upcoming (and old) Proposed Coastal Projects:

A. Applicant: Marc R. Landry and Nancy F. Allen

Project Location: 494 Elliott Rd, Centerville, MA 02632

Representative: Arlene M. Wilson, A.M. Wilson Associates, Inc.

Proposed Project: Request for Amended Order of Conditions SE3-5927, proposed inclusion of boardwalk with kayak racks and non-motorized pier at the southwesterly end of the property.

Conservation Hearing Date: 09/06/2022, 4:30PM via Zoom

This was approved.

B. Applicant: Helen Hughes

Project Location: 94 Long Beach Rd, Centerville, MA 02632

Representative: Daniel Ojala, Down Cape Engineering, Inc.

Proposed Project: To construct and maintain a fixed pier, ramp and floats

Conservation Hearing Date: 09/13/2022, 6:30PM via Zoom

This went before the commission and needs to go back to the commission because there's no house on the property and didn't go to waterways yet.

C. Applicant: Homeport Investments LLC

Project Location: 17 Indian Trail, Osterville, MA 02655

Representative: John O'Dea, Sullivan Engineering & Consulting, Inc.

Proposed Project: Proposed replacement of existing failing timber bulkhead with vinyl bulkhead

Conservation Hearing Date: 09/13/2022, 6:30PM via Zoom

This was approved.

7. Old Business: None

8. Matters not reasonably anticipated by the Chair:

Councilwoman Kris Clark asked about any updates of Scudder Lane from the conservation meeting. Constable Croteau stated that she and Director Lawson met with DPW to look at preliminary before going to hearings for their ten percent and it hadn't even been seen by conservation. Constable Croteau was concerned with this so she was then told she should come in for informal discussion with the commission. The commission is planning on having their first public outreach meeting in late fall. The plans are not ready to be viewed by public yet. Constable Croteau shared comments with the commission from the input of users of the ramp who don't want it over engineered like the Bay St ramp. She also urged anyone who has any investment in the area to show up for the public hearings. As of right now everything is still just design.

The Shellfish Committee unanimously voted to approve a motion made by Robert Lancaster and seconded by Douglas Crook to adjourn.

Respectfully Submitted: Alicia Lauzon – MEA administrative assistant