

## Shellfish Committee Minutes of the Meeting

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**DATE:** February 18, 2009  
**TIME:** 7:30 P.M. to 9:30 P.M.  
**LOCATION:** MEAD Building

**Shellfish Committee Members present:**

Richard Haskell, Andre Sampou, Gerard Ganey, Matt Ostrowski, Les Hemmila

**General Public present:**

**NR Staff present:**

Tom Marcotti

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**Chairman's Report:**

Richard Haskell chaired the February 18, 2009 meeting of the Shellfish Committee.

The Shellfish Committee reviewed and approved the Minutes of the January 21, 2009 Meeting of the Shellfish Committee.

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**Natural Resources Report:**

• **Marstons Mill River and Prince Cove Shellfish Area Opening:**

The Marstons Mills River and Prince Cove are open to shellfishing as of February 15, 2009 per order of DMF.

**The Marstons Mills River is defined as:** The waters and flats and all tributaries thereto of Marstons Mills River in the Town of Barnstable, south of a line drawn across the mouth of Prince Cove, north of a line drawn across the mouth of the river and westerly of a line drawn northerly from the two "No Shellfishing" signs located at the mouth of Warren's Cove (DMF/SC:23.1; classified as conditionally approved).

**Prince Cove is defined as:** The waters and flats and all tributaries thereto of Prince Cove in the Town of Barnstable, north of a line drawn across the mouth of Prince Cove (DMF/SC:23.1; classified as conditionally approved).

The status of the above conditionally approved areas shall automatically revert to "Closed to Shellfishing" on May 1, 2009 unless DMF changes the areas status prior to said date.

**Warrens Cove (DMF/SC:23.3; classified as prohibited) remains closed.**

• **Oyster Season Closure**

**SHELLFISH MANAGEMENT NOTICE**

**OYSTER SEASON CLOSURE**

Effective Sunday, February 22, 2009 the harvest of oysters in the Town of Barnstable is prohibited.
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Oysters are required to be at least 3 inches in longest length to be legally harvested by State law. Recent recreational harvesting has removed many legal size oysters from the existing local town propagated oyster populations, leaving a large percentage of "seed" oysters. This prohibition is based on oyster seed management criteria to protect the oyster seed for long term survival and to prevent the potential unlawful harvest of seed oysters.

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## Piers, Dredging and Shellfish Habitat Issues:

The Shellfish Committee reviewed and discussed the following proposed pier applications:

Applicant: **Robert J. and Susan J. Bothwell**

Application: (N.O.I.) Replace licensed float with new 8' X 18' float; relocate license and maintain bench, hand powered boat lift and kayak rack.

Location: 252 Clamshell Cove Road, Cotuit, MA. 02635

Applicant: **Richard M. & Anna Tocci**

Application: (N.O.I.) Construct and maintain a timber pier, ramp, and float in North Bay.

Location: 80 Great Bay Road, Osterville, MA. (as shown on Assessors Map 093-074)

Andre Sampou informed the Shellfish Committee that there will be an on-site review of the Tocci pier at 80 Great Bay Road at 10:30 A.M. on Thursday, February 26, 2009. Andre informed the committee that Tocci is appealing the Town of Barnstable Conservation Commission's orders of conditions to the Massachusetts Department of Environmental Protection.

Applicant: **Association of the Cotuit Mosquito Yacht Club, Inc.**

Application: Remove dogleg and straighten pier. Add two 12 foot floats to South.

Add 4 feet on last float to east.

Location: 95 Old Shore Road, Cotuit, MA 02635

Applicant: **Doug B. & Elizabeth D. Evans**

Application: Reconstruction of an existing stone revetment on a coastal bank.

Location: 125 Harbor Bluffs Road, Hyannis, MA 02601

The Environmental Notification Form by the Bornstein Companies

Proponent: **The Bornstein Companies**

Project Name: Dredge and 50 slip Marina Construction within Maraspin Creek, Barnstable Harbor

Location: Freezer Point, Barnstable Harbor, MA

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## Shellfish Aquaculture License Renewal

The Shellfish Committee approved a motion to recommend the approval of the shellfish aquaculture license renewal application of Wayne Hayes for licensed sites 95-7 located in Cotuit Bay and West Bay providing that Doug Kalweit review and approve of the renewal.

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## Shellfish Propagation Plans

The Shellfish Committee reviewed and discussed the Town's shellfish propagation plans for 2009  
(See attached document listing plans)