

## Shellfish Committee Minutes of the Meeting

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**DATE:** August 19, 2009  
**TIME:** 7:30 P.M. to 9:30 P.M.  
**LOCATION:** MEAD Building

### **Shellfish Committee Members present:**

Richard Haskell, Gerard Ganey, Les Hemmila, Robert Lancaster, Andre Sampou

### **General Public present:**

Jackie Barton, Dennis Donahue, Norman White, Jean Crocker

### **NR Staff present:**

Tom Marcotti

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### **Chairman's Report:**

Richard Haskell chaired the August 19th, 2009 meeting of the Shellfish Committee.

The Shellfish Committee adopted the minutes of the July 15th, 2009 meeting of the Shellfish Committee.

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### **The Conover Great Cove Conservation Restriction**

Jackie Barton, the Executive Director of the Barnstable Land Trust, updated the Shellfish Committee about a proposed conservation restriction to a Barnstable landowner's property:

Grantor: Catherine M. Conover

Grantee: BARNSTABLE LAND TRUST, INC.

Property Location: #350 & #370 (at the end of Carriage Road)

Village: Grand Island, Osterville

Map/Parcel 070/017/003 and 070/022

Total Acreage: The entirety of the 26.97 acre property is covered by a conservation restriction approved and recorded in December 2000. The 0.92 acre "building envelope" and the 0.87 acre "managed landscaped area" included within that CR are both being retired.

The Conover Conservation Restriction approved in 2000 includes a 0.92 acre undeveloped building envelope which is now proposed to be retired by amending the original restriction.

Also proposed to be retired is a permitted dock which if constructed, would lie immediately north of the Town's shellfish nursery on West Bay.

The amendments to the conservation restriction also provide a mechanism for granting an access easement to the Town. The perpetual easement has been agreed to in principle by the Town Manager and Assistant Town Attorney, David Houghton. The easement will grant to the Town a limited right of access to the beach under certain conditions.

A general discussion of many details of the the proposal was undertaken by the committee. The Shellfish Committee approved a motion to send a letter to the Town Council recommending that the Town Council approve the proposed Conover Conservation Restriction.

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### **Natural Resources Report:**

Tom Marcotti updated the Shellfish Committee of the progress of the Town's quahog and oyster propagation and enhancement projects. Limited labor due to budget cuts is a crucial factor affecting the 2009 programs. The MEAD is considering the use of Shellfish Propagation Revolving Funds to hire and maintain adequate labor for shellfish propagation projects.

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

Applicant: **Thomas J. Devesto**

Application: (N.O.I.) Proposal to place two outhaul pilings, install boat lift and add 8' X 25' float (with ramp)

Location: 835 Old Post Road, Cotuit, MA. 02635  
(as shown on Assessors Map 073, Parcel 006-002)

Applicant: **Arsemena T. Dodge**

Application: (N.O.I.) Proposal to replace existing pier with new, longer, pile supported pier, ramp and float; maintain existing path and stairs.

Location: 56 Sand Point Road, Oyster Harbors, MA 02655  
(as shown on Assessors Map 73, lot 17)

Applicant: Robert Burgmann, Town of Barnstable – DPW Engineering Division

Application: The Town of Barnstable is proposing to repair and maintain the boat ramp. Repairs would include reconstructing sections of the existing ramp, repairing holes and resurfacing the remainder of the ramp, adding an articulated concrete map to the toe of the boat ramp and replacing eight piles on the existing timber pier.

Location: 263 Millway, Barnstable, MA 02630

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### **New Business**

The Shellfish Committee discussed the concept of issuing a temporary recreational shellfishing license particularly for the purpose of attending recreational shellfishing classes.

The Shellfish Committee discussed the pollution issues of Pirate's Cove, Seapuit River (DMF/SC 21.2)

The Shellfish Committee reviewed and discussed the proceedings of the Coastal Resource Management Committee (CRMC). A final draft will be available and public hearings of a management plan will occur in the coming months. Les Hemmila informed the Shellfish Committee that he was not in favor of any restrictions to the commercial hydraulic harvesting of specific species of shellfish on the Southside of the Town as specified in the Town's shellfish regulations. The Shellfish Committee also discussed the allowance of boat anchorage in the bays.

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### **Town Apprentice Commercial Shellfishing Licenses**

The Shellfish Committee reviewed and discussed the "Apprentice Commercial Shellfishing Permit" regulation (407-12C).

At the July 2009 meeting of the Shellfish Committee, the committee passed a motion that a commercial shellfishing permit should not be issued to a person under 16 years of age.

The Shellfish Committee proposed that an apprentice commercial shellfishing permit should be issued to a person between their 14<sup>th</sup> birthday and their 18<sup>th</sup> birthday. Upon meeting the requirements of the apprenticeship the apprentice would then become eligible for a commercial shellfishing and may apply for a commercial shellfishing permit through their 20<sup>th</sup> birthday.

The Shellfish Committee reviewed a proposed amendment to regulation (407-12C) as formulated by MEAD / Natural Resources Office as requested by the Shellfish Committee. The proposed amendment was forwarded to a future meeting of the Shellfish Committee for further discussion and review.