

Shellfish Committee Minutes of the Meeting

DATE: February 20, 2013
TIME: 7:30 P.M. to 9:30 P.M.
LOCATION: MEAD Building

Shellfish Committee Members present:

Stuart Rapp, Andre Sampou, Richard Haskell, Matt Ostrowski, Gerard Ganey

General Public present:

David Ryan, John Kelley

Town Staff present:

Doug Kalweit, Tom Marcotti

Chairman's Report:

Stuart Rapp chaired the February 20th, 2013 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."

The Shellfish Committee unanimously approved and adopted the minutes of the January 16th, 2013 meeting of the Shellfish Committee.

Stuart Rapp noted a letter from John W. MacDonald, Bridge Management Specialist, First Coast Guard District, informing the general public of a maintenance project and time frame for the Bridge Street bridge in Osterville. As record, the letter is included on page 4 of the February 20, 2013 committee minutes.

Stuart indicated to the committee that there is currently a vacancy on the Shellfish Committee for a member trained in biology.

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 18, 2013.

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, 2013 unless DMF changes the areas status prior to said date.

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

Tom Marcotti informed the committee of an oyster propagation project in the Marstons Mills River intended exclusively for enhancement purposes. According to DMF "Shellfish Planting Guidelines" town shellfish propagation areas must be re-opened after any three year closure period. Natural Resources is considering opening the Mill's River and Prince's Cove to oystering for a short time during the timeframe the areas are open to shellfishing (under DMF conditionally approved classification; February 18, 2013 through April 31, 2013) to comply with DMF / State requirements.

Piers, Dredging and Shellfish Habitat Issues:

The Shellfish Committee reviewed the following proposed coastal development project proposals.

Applicant: Three Bays Preservation, Inc. & Mass. Audubon Society, Inc.
Application: Proposed Barrier Beach Management Plan to include maintenance dredging and beach nourishment, and other activities aimed at enhancing wildlife habitat and maintaining the integrity of the barrier beach.

Location: Dead Neck / Sampson's Island

Public Hearing: Date: January 8, March 19, 2013
 Time: 6:30 P.M.
 Place: Barnstable Town Hall,
 367 Main Street, Hyannis MA
 Town Council Hearing Room, 2nd floor

Tom Marcotti informed the Shellfish Committee about Natural Resources Office's current and proposed shellfish surveys of shellfish habitat and resources in the footprint and vicinity of the proposed dredging project, and general orders of conditions for any coastal development project approved by the Conservation Commission. Dave Ryan, of Cape Cod Oyster Company, informed the committee of specific concerns regarding siltation and dredging scheduling / timeframes that some Three Bays shellfish aquaculturists have addressed with the project applicant(s) and engineers. Stuart Rapp noted that he would write a letter to the Conservation Commission expressing the committee's categorical concerns about the project at this time.

Applicant: Charles M. & Janet M. Daley
Application: To extend the existing bulkhead approximately 54.5 linear feet.

Location: 280 North Bay Road, Osterville, MA 02655, Map 072 / Parcel 007

Public Hearing: Date: February 19, 2013
 Time: 6:30 P.M.
 Place: Barnstable Town Hall,
 367 Main Street, Hyannis MA
 Town Council Hearing Room, 2nd floor

Applicant: Joseph E. Hakim, Tr.
Application: To repair approximately 112 linear feet of the existing sea wall.

Location: 149 Island Avenue, Hyannisport, MA 02647, Map 265 / Parcel 019

Public Hearing: Date: March 19, 2013
 Time: 6:30 P.M.
 Place: Barnstable Town Hall,
 367 Main Street, Hyannis MA
 Town Council Hearing Room, 2nd floor

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Shellfish Aquaculture License Transfer Applications

The Shellfish Committee reviewed, discussed and unanimously approved a motion recommending that the following shellfish aquaculture license applications of Nolan Ryan and Matthew Ryan be approved by the Town Manager. Davis Ryan and John Kelley were present to answer any questions from the committee regarding the applications.

Applicant: Nolan Ryan

Application: The transfer of John Kelley's shellfish aquaculture site to Nolan Ryan, and the issuance of a new license to Nolan Ryan for a period of five years.

Location: Barnstable Harbor, site ng018: A designated portion (2 acre) of intertidal flat in the mid-Barnstable Harbor north of Duck Island as recorded on a map at the G.I.S. Unit.

Public Hearing: Date: February 20th, 2013
 Time: 9:00 A.M.
 Place: Barnstable Town Hall,
 367 Main Street, Hyannis MA
 Town Council Hearing Room, 2nd floor

Applicant: Matthew Ryan

Application: The transfer of Jacqueline Kelley's shellfish aquaculture sites to Matthew Ryan, and the issuance of
 of
 a new license to Matthew Ryan for a period of five years.

Location: Barnstable Harbor, ng019 (1.4 acre), ng047 (0.53 acre): Designated portions of intertidal flat in the mid-Barnstable Harbor north of Duck Island as recorded on a map at the G.I.S. Unit.

Public Hearing: Date: February 20th, 2013
 Time: 9:00 A.M.
 Place: Barnstable Town Hall,
 367 Main Street, Hyannis MA
 Town Council Hearing Room, 2nd floor

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Town of Barnstable
Department of Public Works
 382 Faircloth Road, Hyannis MA 02601
<http://www.town.barnstable.ma.us>



Office: 508-790-6100
 Fax: 508-790-6106

January 25, 2013

John W. MacDonald
 Bridge Management Specialist
 First Coast Guard District
 408 Atlantic Avenue
 Boston, MA 02110-3250



Re: Oyster Harbors Bascule Bridge over Entrance to West Bay - Osterville MA

Dear Mr. MacDonald:

On behalf of the Town of Barnstable I wish to request the Coast Guard's approval to deviate from Coast Guard Regulations at 33 CFR 117.35 governing bridges as they relate to the above referenced bridge.

The Town of Barnstable is undertaking a multi phased rehabilitation project for the bridge, the first phase of which includes electrical and mechanical repairs and replacement of parts including motor repair, brake installation, new electrical service and controls and other electrical upgrades as outlined in the enclosed specifications and plans.

The work will require that the bridge remain in a permanently closed position from January 31, 2013 to April 30, 2013. The vertical under clearance at the channel is 15 feet @ mean high tide.

All of the work is to be performed by competent contractors, supervised by STV (Consultant) and professional Town staff.

Please contact me @ 508.790.6302 or by email roger.parsols@town.barnstable.ma.us with any questions regarding this application.

Sincerely,

Roger D. Parsols, P.E.
 Town Engineer

CC: Dan Horn, Harbormaster
 Corn Electric