

Committee Minutes of the Meeting

DATE: November 18, 2020

TIME: 6:30 P.M. to 8:06 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, Patricia Farinha, Jacob Angelo, Paul Caruso, Tyler Hagenstein, and William Shumway, Al Surprenant

Shellfish Committee Members absent: none

General Public present: John Odea, William Potter, DJ Mackinnon, Zenas Crocker, Andrea Howell, Brian Knies, Connor Rogan, Paul Rude, Chief of Cotuit Fire Department, James Dannhauser, Kathy Grove, Jessica Rapp Grasseti, Kathy Grove, Leslie Mackinnon, Liza Knies, Pamela Neubert, Phil Odence

Town Council Liaison present: Kristine Clark

Town Staff present: Derek Lawson, MEA Director, Amy Croteau, Natural Resource Officer/Shellfish Constable, Nina Coleman, Natural Resources Director, Terri McDonald, Clerk

Stuart Rapp chaired the November 18, 2020 meeting of the Shellfish Committee. Stuart Rapp took a roll call of members present at the meeting. 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."

1. Meeting Minutes:

The Shellfish Committee unanimously approved a motion made by Al Surprenant and seconded by Paul Caruso to discuss all Minutes from the last four months as presented.

The Shellfish Committee unanimously approved a motion made by Robert Lancaster and seconded by William Shumway to make a change of "Mike B." to "Mike Bridges" in the Minutes September 9, 2020.

The Shellfish Committee unanimously approved a motion made by Al Surprenant and seconded by Paul Caruso to approve the minutes from July 8, 2020, August 12, 2020, September 9, 2020 and October 14, 2020 as presented.

2. Chairman's Comments:

Stuart Rapp asked Town Council Liaison, Kris Clark what happened at the Appointments Committee meeting that took place the prior day. The makeup of the Shellfish Committee was discussed at the Appointments Committee. Kris Clark stated that she is looking to update the Code to accurately reflect what the Shellfish Committee has come to be since it was formed 20 years or so ago. The language is

being looked at to accurately reflect the current shellfishery. She will keep the Shellfish Committee updated.

3. Natural Resources Report:

East Bay was not opened on November 1st. Water quality as well as meat testing has not tested clean for two rounds of water quality sampling. In the future East Bay will be a December 1st opening, contingent on water testing. Water testing was performed again this week and hopefully will come back clean to be open East Bay on December 1st for 2020.

Amy Croteau, Senior Natural Resources Officer presented the following:

Recreational Shellfish Permits sold for 2020 Season compared to 2019 Season

Permit Type	2019	2020
Resident	1347	1210
Senior Resident	975	842
Non-Resident	267	400
Seasonal	32	43
NR Veteran	19	30
NR Senior Veteran	18	40
	2658	2565

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

- A. Applicant: Donald J. MacKinnon Tr., MCCM Realty Trust
Project Location: 33 Oyster Place Road & 910 Main Street, Cotuit, MA 02635
Representative: Sarah Turano-Flores; Nutter, McClennen & Fish, LP
Proposed Project: Removal of 3,000 s.f. of existing historic, solid fill wharf (first licensed in 1874), construction of low vinyl bulkheads along 300 s.f. portion to remain, the landward relocation of existing rock revetment, installation of replacement pier, ramp, floats and appurtenances, establishment of halophytic marsh species in intertidal zone, and installation of town office building on 15'X30' deck.

Conservation Hearing Date: November 24, 2020 at 6:30PM
via Zoom: <https://zoom.us/j/92270642906>
Meeting ID: 92270642906 or 888-475-4499
US Toll Free, Meeting ID: 92270642906

Points discussed with this project included:

- Public easement proposed within the project
- DJ MacKinnon spoke to the easement as perpetual easement to be utilized by the public.
- Dawn to Dusk enforcement of proposed easement
- Locating shellfish flupsies with in the structure of the dock
- Small building incorporated in plans that could potentially be used by the Town
- Regarding the dock, they would pay for installation and then would allow the Cotuit Fire District to use the Dock as well as the Clean Water Coalition.
- Permanent no cost slip location for the Cotuit Fire District Boat
- Emergency Vehicles utilizing the parking area at Dock

- The Clean Water Coalition could utilize this slip for their science boat
- Would like to improve the shellfish habitat
- Nitrogen removing Septic systems were discussed in detail
- Boat size was brought up and environmental effects.
- Salt marsh habitat rehabilitation is part of the project
- Lengthening of the pier for preservation for the shellfish habitat
- Councilor Rapp Grasseti and the Cotuit Civic Association support this project
- Shellfish habitat area is not ideal now but historically was a viable area

No vote was taken. Applicant will continue to keep Town informed and updated on this project.

The project was discussed

B. Applicant: Chrisjen Realty Trust
 Project Location: 86 Sand Point, Osterville, MA 02655
 Representative: John O’Dea, P.E., Sullivan Engineering, Inc.
 Proposed Project: Proposed maintenance dredging to -4 MLW from an area roughly 150’ x 70’ around existing pier with beneficial reuse on site as beach and dune nourishment.
 Conservation Hearing Date: December 1, 2020 at 6:30PM
 via Zoom: <https://zoom.us/j/935888787796>
 Meeting ID: 9358 8878 7796 or 888-475-4499
 US Toll Free, Meeting ID: 9358 8878 7796

Project was presented by John O’Dea, P.E., Sullivan Engineering. Shellfish Committee discussed the project, the original permit dates back to 1967. Dredging footprint was questioned. No restriction on boat size on the pier due to the date pier was permitted. Beach to the-East side of the pier is a good shellfish habitat was brought up and discussed.

No vote was taken.

5. New Business:

A. Notification of shellfish aquaculture licensed site renewal application:

Applicant: Kevin J. Flaherty
 Application: Renewal of site (ng037, 2.01 acres) licensed to Kevin J. Flaherty (license #15-01), and issuance of a new license for a period of 10 years.
 Location: Site ng037: A designated portion (2.01 acres) 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: Wednesday, December 9, 2020
 Time: 10:00 A.M.
 Place: via Zoom: <https://zoom.us/j/94265277760>
 Meeting ID: 942 6527 7760
 One tap mobile
 +16468769923,94265277760# US (New York)
 +13017158592,94265277760# US (Washington D.C)

The Shellfish Committee unanimously approved a motion made by Robert Lancaster and seconded by William Shumway to recommend approval of the renewal of site (ng037, 2.01 acres) licensed to Kevin J. Flaherty (license #15-01), and issuance of a new license for a period of 10 years.

B. Meeting Schedule for 2021.

The Shellfish Committee unanimously approved a motion made by Robert Lancaster and seconded by Patricia Farinha to approve the following schedule for the Shellfish Committee for 2021.

Second Wednesday of every month, VIA ZOOM until further notice.

January 13, 2021, 6:00pm-8:00pm	July 14, 2021, 6:30pm-8:30pm
February 10, 2021, 6:00pm-8:00pm	August 11, 2021, 6:30pm-8:30pm
March 10, 2021, 6:00pm-8:00pm	September 8, 2021, 6:30pm-8:30pm
April 14, 2021, 6:30pm-8:30pm	October 13, 2021, 6:30pm-8:30pm
May 12, 2021, 6:30pm-8:30pm	November 10, 2021, 6:00pm-8:00pm
June 9, 2021, 6:30pm-8:30pm	December 8, 2021, 6:00pm-8:00pm

C. General Discussion: Potential for quahog dragging in areas of Town: Marstons Mill River 2021

Amy Croteau started discussion with the following information and would like to create an area to allow dry dragging over the next month or so.

Quahog Dry Dragging – Marstons Mills River

Short Window of opportunity prior to Spring spawn
Continued assessment of dry dragging on different types of bottom
Could be conducive to seed recruitment
Allows pilot removal of nuisance sponges
Could be done annually for three years
Could be cut after one year if seed is recruited and present
Require surveys of the bottom before and after
Scope of area allowed to be dragged? Do not want to displace soft shell clam pumping or damage any sub tidal lines of soft shell clams.

The Shellfish Committee discussed and the topic will be re-visited.

6. **Old Business:** None.

7. **Special Presentations:**

A. Jake Angelo - Monthly Documentation of Embayment Bottoms

Videos did not work again, due to the late hour this was tabled until next meeting

8. **Matters not reasonably anticipated by the Chair:** None.

The Shellfish Committee unanimously voted to approve a Motion made by Robert Lancaster and seconded by Jacob Angelo to adjourn.

Respectfully submitted: Terri McDonald – Clerk of the Board