

MINUTES
TOWN OF HARWICH
WATERWAYS COMMITTEE
HARWICH CHANNEL STUDIO,
COMMUNITY CENTER
100 OAK STREET
WEDNESDAY, JULY 17, 2024 - 6:00PM

CALL TO ORDER: Dan Hall, Chair, called the meeting of the Waterways Committee to order on Wednesday, July 17, 2024 at 6:02PM.

Attendance and Introductions: Daniel Hall (Chairman), John Rendon (Harbor Master), Don Yannozi (Natural Resource Officer), James Walpole, Kent Drushella, Richard Shevory, Daniel Casey, Larry Brutti.

Waterways Members not Present: Roger Peterson (Vice Chairman)

Others Present: Jeff Lang, Wayne Tevares, Jeff Handler, Bill Cahalane, Noreen Cahalane

Remote Attendance: Paul Kelley, David Crispin, Jim Donahue

MINUTES: March 20, 2024 Review & Approval

Mr. Hall noted the correction of Rick Shevory's name. Motion made by Larry Burtti to approve with spelling correction, motion seconded by Daniel Casey.

Vote: 7:0 in favor. Motion carried.

CONSENT AGENDA: None

OPEN FORUM: None

FINANCIAL REPORT: June 2024 Monthly

Mr. Rendon referred to the end of June Revenue Report which is also the end of the fiscal year. He noted that the revenues are slightly less than but close to last year's revenues. In general, it was a good year.

NEW BUSINESS:

1. Proposed Dock Renewal and Reconfiguration – 35 Snow Inn Road (Wet Tech Land Design, Inc.)

Wayne Tavares was present. He gave a brief description of his credentials noting that he routinely does docks on Cape Cod. He also noted that this renewal and reconfiguration is a filing with Conservation. He described the problem with the current dock and explained, in detail, what his proposal includes and why.

Mr. Rendon spoke about the project, what aspects of the proposal he supports and why. He stated that from his perspective, he does not see any issues with the proposed docks.

Don Yannozi, Director of Natural Resources was present and commented on the proposal. He spoke about the lab which is just north of the landing. He noted the time of year restrictions and the expectation of reimbursement of seed cost so the area can be reseeded with shellfish after the completion of the project. Mr. Yannozi explained the process for purchasing seed in the fall for the upcoming year and how the overall rate is calculated to determine the cost. He offered to write a proposal for Mr. Tavares.

Mr. Tavares commented that usually the proximity between the docks makes the seed more plentiful. He asked, for future reference, how shellfish are protected by a series of docks.

Mr. Yannozi responded that he is unaware of any studies in this area, specifically in Wychmere. The protection of the shellfish would not be taken into play in this instance.

Committee members asked questions about the project which Mr. Tavares answered in detail.

Mr. Tavares noted for the record, that there are two criteria to go by, length and length to get out to proper depth.

A motion was made by Richard Shevory and seconded by Jay Walpole to accept the proposal as written for project #23-9000.

Vote: 7:0 in favor. Motion carried.

Committee members signed the documents.

2. Proposed Bulkhead Replacement, Dredging and Install of Floats for Scallop Farming – 11 River Bend Road (BSC Group)

David Crisman of BSC Group was in attendance virtually and presented the proposal with a power point presentation. He explained the proposed project in detail. Mr. Lang, the property owner was also present to answer questions.

Mr. Rendon asked questions regarding the phases of the project, the bulkhead and the number of floats.

Mr. Lang responded, noting that he is unsure if he will be able to go beyond the first phase. He also described the bulkhead and explained the dimensions and numbers of floats.

Mr. Rendon expressed concerns and made suggestions about the dimensions of the floats.

Mr. Yannozi asked questions regarding the bulkhead and the number of pilings. He also asked questions regarding the history of the property and the intended use of the property.

Mr. Lang answered the questions in detail.

Committee members asked questions and offered opinions about the project.

Mr. Rendon emphasized that the original discussion with Mr. Lang was that this was phase one of the project. That is why he was asking about future plans. Amy Usouski, Conservation Administrator, had forwarded zoning information about the area to Mr. Rendon. Counsel's opinion is that the bulkhead itself would be subject to zoning but as a replacement, it is likely that any kind of zoning relief would be needed. The floats and the submerged scallops would not be subject to zoning.

Noreen Cahalane is a neighbor and was present. She spoke on behalf of neighbors who do not want a commercial scallop farm in the neighborhood. They are not against the bulkhead, they object to the floats and she gave reasons for those objections. Ms. Cahalane gave detailed information that she feels shows that Mr. Lang purchased the property for the purpose of a commercial scallop farm. Ms. Cahalane listed the objections of all the neighbors and how they feel it will change the neighborhood.

Mr. Kelly, a neighbor of Mr. Lang's was attending virtually. He had submitted a letter of the neighbors' objections to Mr. Lang's project. He described those objections in detail.

Mr. Lang responded to the objections and corrected a few statements that were made.

Mr. Yannozi acknowledged the potential benefits to scalloping for its filter feeding purposes. He also noted potential negative aspects such as shellfish disease. He addressed other comments that were made and responded to them from his perspective.

Paul Wittenstein was present virtually. He is from Harwich and runs the ARC Shellfish Nursery. He commented that he does have many questions as he has just started looking into this. He also commented that he didn't not think the bulkhead or floats would impede on the waterway.

Mr. Rendon expressed the need to limit the amount of encroachment that this project will have on the waterway. He asked that Mr. Lang evaluate that and look into using four foot wide floats as a compromise.

Mr. Hall stated that they don't have enough information to approve this plan.

Mr. Hall stated that the Committee is unable to vote on a plan that has already been altered.

Mr. Yannozi commented to Mr. Lang regarding his offer to donate seed and stated that the town does not have an interest in acquiring donated seed and explained the reasons.

An audience member asked Mr. Yannozi if the reason there is a shortage of eel grass is because of the nitrogen issue.

Mr. Yannozi responded that nitrogen is an issue and he also noted other possible reasons for the shortage.

A motion was made to suspend or delay the vote on the Proposed Bulkhead Replacement, Dredging and Install of Floats for Scallop Farming –11 River Bend Road until the applicant comes back with additional studies and information on where the actual bulkhead can be placed, which is what establishes the line where the floats are going to be set. And then look and review, based on the Harbormaster's suggestions of what can be done to minimize the size of the floats and come back with a couple of alternatives and suggestions of what can be done.

It was noted that the Waterways Committee is an advisory committee and not a regulatory committee.

Mr. Rendon clarified that the Harbormaster does have regulatory authority over the waterways.

Motion seconded.

Vote: 7:0 in favor. Motion carried.

OLD BUSINESS: None

MONTHLY REPORTS:

Board of Selectmen - no report

Harbormaster report

Mr. Rendon referred to the April and May, two month report. He added that the dredging of Wychmere Channel has been completed. Mr. Rendon also noted that they had received another \$106,000 grant for dredging from the State, for next season. The new hires are working out great and due to weather, the season is off to a slow start.

Natural Resource Officer - no report

CORRESPONDANCE: None

NEXT MEETING: Wednesday Aug 21, 2024

ADJOURNMENT:

Motion made by Ken Drushella to adjourn was seconded by Larry Brutti.

Vote: 7:0 in favor Motion carried. Meeting adjourned 7:50 PM

Respectfully submitted,

Judi Moldstad

Board Secretary

Dan Heda 8/21/24