



# Town of Barnstable

## Waterways Committee

1189 Phinneys Lane, Centerville MA 02632

[www.townofbarnstable.us](http://www.townofbarnstable.us)

### Waterways Committee Meeting Minutes March 26, 2024

A meeting of the Town of Barnstable Waterways Committee was held via Zoom as approved by the Town Manager with the Committee's approval.

#### I. Call to Order

The meeting was called to order at 7:02 pm by Chairman Paul Everson. Quorum has been confirmed and Everson read the following notice at the beginning of the meeting:

NOTICE OF RECORDING "Please note that tonight's meeting is recorded and broadcast on Town of Barnstable's Government Access Channel 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."

#### Roll Call:

Board Members present: Paul Everson, Chairman; Peter Cross; Greg Egan; Gary Shramek; Todd Walantis

Board Members absent: None.

Town Staff present: Brian Taylor, Harbormaster (HM); Jay Horn (DHM), Deputy Harbormaster/Mooring Officer; Pam Swider-Cohen, Principal Department Assistant

Town Council Liaison Present: Paul Neary

Town Council Member: Kris Clark

Public: Jacob Angelo, Attorney David Lawler – representing Mr. Angelo, Rachel Lynn, Anthony Grace, Corey Hendricks, Tyler H., Brian Lynn, George Maynard, Tony Day, Caroleen, Sherry Lawson, Sam Wilson, Steven Whiteley of All Cape Docks

#### II. Meeting Minutes:

1. February 27, 2024, Waterways Committee Meeting Minutes **A motion was made by Greg Egan and seconded by Todd Walantis to approve the February 27, 2024, meeting minutes as written; all in favor to accept minutes as written.**

#### III. Notices of Intent (NOI): None

#### IV. Mooring Appeals: None

#### V. Old Business:

1. Angelo, Jacob 46 Meadow Lane, West Barnstable, MA 02668, Fish Trap/Weir application (Continued from February 27, 2024) **Jay Horn, Deputy Harbormaster stated that the Committee Members had some reservations about the proposed start dates of the fish weirs, and they also requested Jacob Angelo to provide a better map showing the locations of the fish weirs. DH Horn stated that the Harbormaster's office has received many letters primarily in favor of this**

application. Attorney David Lawler is present to assist Jacob. Jacob Angelo stated he has provided charts as requested by the committee and they are displayed to view. The length of the fish weir is 700 yards including the bowl and the heart. Mr. Angelo explained how the fish weir functions. The fish are harvested from the bowl which is the most seaward part of the trap. He stated the two weirs are identical for both locations: Wianno and Hyannisport. Harbormaster Brian Taylor stated the Town of Barnstable currently has two fish weirs permitted by Nantucket Fish Weirs which are in the same location for which Mr. Angelo has applied. Nantucket Fish Weirs' traps are present from April to the end of June and have been in the Town of Barnstable for at least 15 years. Chairman Everson asked about the lighting that will be used? Mr. Angelo stated he would be using a quality rechargeable light that is the industry standard as he will not skimp on the light. He also plans to have radar reflectors as well. Everson stated he was familiar with the fish weirs due to an incident at the Hyannisport location. The light at the time was basically a flashlight attached to the weir. Peter Cross asked what are the dates that Mr. Angelo has applied to have his fish weirs installed and removed? Angelo stated he changed the original application dates to start the day after Labor Day when he would begin installing the poles and it would be removed by November 30. As the set up and break down is time consuming, the time to fish will be limited to mid-September and October. Cross has stated he is in favor of the project. Greg Egan asked if he leases the equipment or owns it. Mr. Angelos stated he has some poles and will use some from the other business. Regarding lighting, Egan asked if he would consider lighting both ends with a 360-degree arc of visibility? Angelo stated that is no problem. Then Egan asked if he would consider starting the fifteenth of September as a start date? Angelo replied that date would cause him to miss the greatest time to fish due to how long and extensive it is to place the weir. Attorney Lawler stated that the spring weirs go up to June 30<sup>th</sup> and that is into July fourth which is a very busy time of year. The fish migration in September is vital to his success. Regarding the lights, he would follow what the professionals recommend so as not to create a hazard to navigation. Todd Walantis is in support of the project; he too does have concerns about safety to no fault of Mr. Angelo. Gary Shramek asked about undersized stripers that may get trapped in the weir. Mr. Angelo stated that when he was learning how to work the fish weir, he did not see one striper. He stated that when the fish are in the bowl, they are balled up with the like fish swimming as they would in the ocean. And when the fish is too small you can separate the school and let them go. It also helped with the quality of the fish. Shramek is concerned about the date due to the safety during the busy time on the water. Would signage or information be useful to educate the public regarding the existence of the fish weirs.

Attorney Lawler is concerned with unintended consequences if a sign is posted at the weir. Mr. Angelo stated it is put on the daily notice to mariners by the Coast Guard. Chairman Everson asked if the Steamship Authority has been notified of this application and have, they expressed an opinion? HM Taylor stated this still needs to go before the Town Council for approval, but it has been posted for two months on the Waterways Committee's agenda. Mr. Angelo stated a letter of support from a Captain John J Madden was sent to the Committee members. Chairman Everson started public comment and to keep comments brief and state if they are in favor or opposed to this application.

- All Cape Docks, Micheal Whiteley in favor
- Anthony Day, Centerville in favor, he submitted a letter of support, and he has been working with Jacob Angelo and he is also a commercial fisherman, lobstering on the Northside.
- Anthony Gerace, resident of Cape Cod, submitted a letter of support of the application.
- Brian Lynn submitted a letter of support.
- Caroleen listening in, expressed a concern on the start date, in favor of the later date of September 15<sup>th</sup>, due to a beach club nearby and young children sailing.
- CJ: Fleet Capt. For the PHRF ocean class fleet at the Hyannis Yacht club, she is here taking notes and would defer to Bill Lawson for the Club (HYC). Personally, she too prefers the later date for concerns of children swimming and sailing.
- Corey Hendricks, aquaculturists, commercial fisherman, and a tribal member, born and raised in Barnstable. He is in support of revitalizing this historical fishery, to put the date back to mid-September. There is no guarantee due to the weather. Fish run September-October He thinks Mr. Angelo has already compromised with the starting date as it was originally August 15<sup>th</sup>. He stated this is a great opportunity for the fisherman and the blue economy.
- George Maynard, Barnstable resident as well as a scientist at the Northeast Fisheries Science Center at Woods Hole. He submitted a letter of support and if approved he stated that they would likely install some environmental monitors into the gear that will be used for study at the Center.
- Kris Clark, West Barnstable, Town Councilor Precinct 11, Jacob is a constituent of hers and she has known him from working in the shellfisheries in Barnstable Harbor. She is in support of his application.

- Rachel Lynn, West Barnstable, has submitted a letter of support for the fish weirs application which she read. Also, she stated that Jacob has made an adjustment of the start date from August 15 to now a start date of the day after Labor Day in September.
- Sam Wilson, grew up in Hyannisport, supports the later date and asked about the effects of recreational fishing for false albacore in the fall. Mr. Angelo replied at the Chairman's request. He stated the fish weir is in a stable location and the vessels would be able to avoid it similarly to the other hazards in the area.
- Bill Lawson, Hyannis Yacht Club, is in support of the application with the change of the start date from August 15 to after Labor Day.
- Tyler H. resident listening.
- Brad Shepard, resident of Hyannis, boat in Hyannisport, he would like to see the date later in the season.

Public Comment was closed, and Peter Cross made a motion to approve the application for fish weirs to begin on the Tuesday after Labor Day, with further discussion he withdrew his motion. The Committee has questions regarding the length of the permit being for five years. HM Taylor was not able to answer what he felt were questions for the legal department. Chairman and committee members stated we are leaning in the direction of support of this application and need the questions for the legal department to be answered asking if we can amend the permit at all. This will be continued to next month's meeting.

2. Mooring regulations: Deputy Harbormaster/Mooring Officer (DHM) Jay Horn stated that the updated mooring regulations have been approved by the Legal Department. HM Taylor stated the Mooring Regulations require another public forum and we need to work with the Town Managers' Office for a date in April.
3. Marina fees: HM Taylor states the first meeting is scheduled for May 21, 2024 at 6:00 PM via Zoom to go over Marina Fees which will be prior to the regularly scheduled Waterways Committee Meeting. (this date is the 3<sup>rd</sup> Tuesday of the month due to the holiday). There will also be an in-person meeting in August which will need to be scheduled. The discussion is for one fee across the board for all marinas: one resident fee, commercial fee and one nonresident fee across all marinas.

## VI. NEW BUSINESS:

1. Eel River Closing the Waitlist DHM Horn stated there are 27 different Mooring Fields in the Town of Barnstable with wait lists. Some of those you can add your name to by simply filling out an application and some lists are closed and require a "lottery" style drawing to add new names to the list. All Committee members are in favor of closing the Eel River Mooring Wait List.

2. Waitlist Offerings, regarding individuals who pass. **DHM Horn stated annually approximately 100 moorings are given up each year. He is currently offering moorings to individuals on the wait lists which takes about 8 months to complete the process each year. There is a lot of dead weight at the top of the wait lists. He showed the committee the system to offer. Approximately the first 48 people on the Hyannisport mooring field pass each year when they are offered a mooring. It takes offering 400 people a mooring to fill the empty spots. He wants to ask the committee if we should start a "Three Strike Rule" and move those people to the back of the list beginning in the year 2025. Todd Walantis would not be in favor of three strikes, one strike if offered and off the list. He believes the system originally set up does not work. Some people do not have years to wait on the list. Greg Egan would like to be more accommodating than one strike and is more comfortable with DHM Horn's three-year phase in process before moving someone to the back of the list. Peter Cross asks how about 2 years. Paul Everson states the person pays the fee of \$15.00 and stays on the wait list. They continue to pay the fee to remain on this list. With people passing it doesn't affect the first person who accepts a mooring. DHM Horn states that it is the amount of work he must do to get through the list. Most of the lists are closed. Hyannisport is an open list with 200 names on the list. HM Taylor states this would have to be a regulation change and since the regulations have not been finalized it would be a good time to make this change. Peter Cross asked if this change should be made to the Marina Wait List Regulations as well? HM Taylor said it could be looked at and discussed further. Members agree to continue this discussion next month for potentially both Mooring and Marina wait list.**
3. **BPMA4 Tyler Huckemeyer regarding a change in plan for slip held at Bismore Park Marina Vessel Isabella H for 6-person fishing charters. HM Taylor requested that the Chairman moved this to the next meeting.**

**VII. CORRESPONDENCE:**

1. Letter from Hyannisport Yacht Club Vice Commodore regarding Mr. Angelo's Fish Weirs application.
2. Letter from Christopher G. Kennedy regarding Mr. Angelo's Fish Weirs application.\*
3. Email from Harry L Alverson regarding Mr. Angelo's Fish Weirs application.\*
4. Email from Owen C Nichols regarding Mr. Angelo's Fish Weirs application.\*
5. Letter from Cape Cod Commercial Fishermen's Alliance, John Pappalardo, CEO.\*
6. Letter from Rachel Lynn regarding Mr. Angelo's Fish Weirs application.\*
7. Email from William Ashworth regarding Mr. Angelo's Fish Weirs application.\*
8. Email from Anthony Gegrace regarding Mr. Angelo's Fish Weirs application.\*
9. Letter from Mark Simonitsch regarding Mr. Angelo's Fish Weirs application.\*
10. Letter from Caitlin Townsend regarding Mr. Angelo's Fish Weirs application.\*
11. Email from Maxwell Kennedy regarding Mr. Angelo's Fish Weirs application.\*
12. Email from Tyler Hagenstein regarding Mr. Angelo's Fish Weirs application.\*
13. Letter from Anthony Day regarding Mr. Angelo's Fish Weirs application.\*

**VIII. Harbormaster Report:**

**DHM Horn stated the 27-foot Safeboat has been launched for the season and is in its slip at Bismore Harbor. We are getting the Aids to Navigation set up for placement in the waters. The deadline for mooring renewals is March 31 with the late fee of \$50.00. (You have until Monday, April 1 per the regulations).**

**IX. Matters not reasonably Anticipated by the Chair: None**

**X. Adjournment:**

**There being no further business, a motion to adjourn was made by Peter Cross and seconded by Greg Egan; unanimously voted by roll call to approve the motion to adjourn at 8:26 PM.**

Respectfully Submitted,  
Pam Swider-Cohen, MEA Principal Department Assistant