

**TOWN OF SCITUATE, MASSACHUSETTS  
SHELLFISH ADVISORY COMMISSION**



**MEETING MINUTES  
Shellfish Advisory Commission  
Wednesday, May 11, 2022  
7:00 pm**

**Hybrid: Select Board Hearing Room at Town Hall and Remote via Zoom**

**Committee Members In Attendance:** Chairperson; Susan Harrison, Waterways Liaison; Dave Friedman, Adam Bisol, Paula Lind, Vice Char, Jeff Palmer and Scott Connelly.

**Chairperson Harrison called the meeting to order at 7:00 p.m.**

**Chairperson Harrison made a motion to accept both the March 23, 2022 and April 20, 2022 Meeting Minutes as written, which was seconded by Adam Bisol and voted unanimously in favor (6-0).**

**Update Recreational Shellfish Closure**

Chairperson Harrison started off the meeting by informing anyone in attendance at the meeting for Recreational Shellfish Closure updates, that there were none at this time.

**Update, Discussion, and Next Steps for Aquaculture Pilot Program. Review DMF Comments on Regulations**

Chairperson Harrison first stated that the committee's regulations were approved by the Selectboard on December 3, 2019. Going on to say that since then there has been a lot of transition at DMF as well as two-plus years of other communities having aquaculture.

Chairperson Harrison relayed that Chrissy, a new DMF member, offered comments on the committee's current regulations, to which she shared with the board;

Ms. Harrison shared that the first suggestion was to change the definition of "the ring of shellfish" to "the rearing of shellfish" under the Aquaculture section, to which the board was in agreement with.

Under the "licensed area", it was suggested that the board add and define "bilateral coordinate submitted with the application", to which the board agreed to add in that this is a DMF application to clarify even further that it is a separate licensing.

Under 4.3c, Application Process, "No license shall cover an area greater than two acres, acres do not need to be contiguous", it was suggested that language be added stating that "non-contiguous

sites require separate licenses”, to which the board approved. Scituate Resident, from 180 Booth Hill Road, asked if this was in respect to the future application process if the pilot program is a success, to which Chairperson Harrison replied that this is in respect to all aquaculture in Scituate, inclusive of the pilot program. Ms. Harrison went on to say that the DMF has requested that the program not be referred to as a pilot while in communication with their organization, as all licenses are equal in their terms.

Within 4.5g, Application Review License Granted, it was suggested that the word “seaward” be added; “so licenses shall only be issued for land more than 150 feet seaward from the mean high-water line”.

Under 4.5k, it would state; “within on year of approval of the license and DMF certification, the applicant shall complete the application review process as required by federal state”.

It was then noted that there was a typo under 5.1a, 4.6 should have been written as 5.4.

On the title “License Granting Suspension Term” of section 5.4, it was suggested that acronym “LGST” be added within that line.

Under 6.2, Annual Report, there was a change of language suggested.

Waterways Liaison asked for history on section 6.1, three years of not producing a minimum amount, which seems like a long time. It was explained that the first 18 months is usually the initial start-up for farmers, and that the three years was the typical number for throughout different towns.

Under 7.0, Non-Commercial Agriculture Research and Education Projects, it was suggested that the committee strike all of the language, because non-commercial aquaculture research education projects are not eligible for Section 57 Licenses; individuals or organizations in aquaculture research and education projects shall work with the Shellfish Advisory Committee, the Licensing Authority, and DMF to obtain a scientific permit. Chairperson Harrison stated that the committee would still have this verbiage set aside for acreage, but that it would be for a scientific permit, which are different from the commercial aquaculture licenses, as these are time limited.

Under 8.0, Rights Granted Under a License, it was suggested that “unless otherwise conditioned, a license shall authorize all these things” be crossed out, because licenses don’t always authorize everything below. DMF is suggesting stating “a license can authorize the licensee at all times of the year for the following;”. Chairperson Harrison explained that under #4 in this section, is a special authorization.

It was suggested that 8.1a1, read as, “designated agricultural float area shall be approved by the Harbormaster and shall be located on a licensed site and approved by DMF for aquaculture related activity only”.

Changing the language under 5.6 of the above section was discussed, with agreement to word it as, “Floats, barges, and docks are prohibited on aquaculture sites for the initial Briggs Harbor program”.

8.1h was removed from the regulations, and DMF suggests it be put back in, as they want it to be clear under the two different sections that designated float areas are to go under the same process as well.

In reference to 8.3, Compliance with Federal, State, and Local Requirements, DMF has mandated that growers attend an annual vibrio control session, which was added as line “e.”.

Under 8.4, Extent of License Rights, DMF suggested deleting line b, “when used, the float shall be part of the licensee’s license areas and shall be considered “off-site””.

Under 8.8b, Marking of Boundaries, it was suggested that it read “Signage shall be visible at all tides”.

Within Section 8.9c, it was suggested to add a line after “when a license is terminated for any reason the licensee shall remove all equipment from the license area within 30 days of the license termination.” stating “The town shall take possession and ownership of any market size product if not sold within 30 days of license revocation.”.

A Line “e.” was added under Section 8.9, to read “All shellfish harvested in Scituate waters shall be landed in Scituate Harbor or Cohasset Harbor.

Within 9.5, Town Record Requirements for Licenses Granted, under line “c.”, it was suggested to add “copies of all new, renewed, and transferred licenses shall be sent to DMF along with the public notice and minutes of the Selectboard meeting at which the board voted on an action.”.

Under 10, Liability of the Town, it was suggested adding in “or other authorization” to the last line.

**Chairperson Harrison asked for a motion to be made to accept all edits as discussed, which was made by Dave Friedman seconded by Paula Lind and voted unanimously in favor (6-0).**

Chairperson Harrison stated that these revisions will now be sent to the Selectboard as well as Town Council for review. She also confirmed that DMF is still scheduled to conduct a site certification in early June. Waterways Liaison, Dave Friedman then asked what is expected to come following the site certification. Chairperson Harrison replied that the board’s next step will be to send to the site, applicants, etc. to the Selectboard for them to pull the public. Mr. Friedman also brought up thinking ahead of any details that the board may be able to perfect prior to the Selectboard giving feedback.

Scituate Resident, Jamie Davenport, of 16 Booth Hill Road, wanted to point out that Cohasset has formed a Work Group/Harbor Committee as they don’t have a Cohasset Waterways Committee and have recently identified two acts. One act is defining the common borders of Basson Beach and possible additional areas in between Scituate and Cohasset. The second act gives Cohasset enforcement power over Scituate Waterways. He went on to advise the committee to be aware of these discussions.

**Chairperson Harrison made a motion to adjourn the meeting at 7:54 p.m., which was seconded by Paul Lind and voted unanimously in favor (6-0).**