



**MEETING MINUTES  
Waterways Commission Meeting  
Wednesday, March 7, 2018  
NOAA Meeting Room  
175 Edward Foster Road**

**Commission Members in Attendance:** Fran McMillen (Chairperson), Brian Cronin (Vice Chairperson), Michael Gibbons, Brian Kelly, David Glancy, David Friedman, Steve Guard

**Commission Members not in Attendance:** Keith Walo, Michael LaRusso and Stephen Mone (Harbormaster)

**Also in Attendance:** Jamie Davenport and Jamie Gilmore, Advisory Committee Liaison

Meeting was called to order by Fran McMillen at 7:04 PM

**Fran McMillen made a motion to approve the agenda, Seconded by Brian Kelly; Unanimous Vote (7- 0)**

**Fran McMillen made a motion to approve the minutes from the January 3rd meeting; seconded by David Glancy; Unanimous Vote (7-0).**

**OPENING REMARKS: Fran McMillen**

Fran opened the meeting by informing the Commission that the generator would start up if we lost power [due to the wind] and that it would be very loud, also dimmed emergency lights would come on.

Fran attended the Board of Selectmen Meeting, The 2019 Capital Planning Meeting and the Advisory Meeting with Stephen Mone where the budget, the request for the new command and fire pumper boat (that will be shared with the harbormaster's office and the Fire Department) and the progress of the Marina Project were presented.

Fran introduced Jamie Gilmore from the Advisory Board as the liaison for the Waterways Commission.

Fran also introduced, Jamie Davenport, a shell fish farmer, who was invited to the meeting by The Commission to talk about his potential plans for "Scituate Oyster."

Cole Parkway Update: The project is going well, Chapter 91 has not been **approved** yet but everything else is approved. State (DEP) has to review and approve Chapter 91.

South River Update: Nancy Durfee wrote a letter requesting that the Commission write a letter in support of giving up the easements; the Town is having no luck with either Scituate or Marshfield and has agreed to do off shore dumping of the spoils instead. Mike Gibbons asked if there was another option to dump the spoils closer to the shore. Fran said they did a grain sample so he is not sure where a suitable place to put the soils would be. Fran read the letter from Nancy Durfee to the Commission.

There was a discussion about if the spoils could be used elsewhere and about beach nourishment. The commission thought they should talk about “urgency” when they drafted the letter.

**David Friedman made a motion to write the letter in support of giving up the easements as a way to dump the spoils. Brian Kelly seconded; Unanimous vote (7 -0).**

**It was decided that Fran and Mike Gibbons would write the letter on behalf of the Commission.**

### **DAVENPORT OYSTER COMPANY: Jamie Davenport**

Keith Walo asked Jamie Davenport to come to the meeting and discuss the possibility of oyster farming in Scituate. He is hoping to have a transparent process and hope the Commission will support him in his plans going forward.

He moved to Scituate in 2009 and he has been an oyster farmer in East Dennis for 11 years. The first few years are not profitable, but now the business is doing well.

He has been trying to bring aquaculture to Scituate. He had met with Mark Paterson, the Harbormaster and the Shellfish Constable and they seemed excited about the project. However, Mark has since retired and he eventually got a letter from Patricia Vinchesi [former Town Administrator] informing him that Scituate was not going to take action at this time.

Jamie explained that part of Cohasset Harbor is actually Scituate property and is already approved for shell fish harvesting. Jamie thought the reclassification of Scituate Harbor would probably be a long process. Jamie presented a picture board to the Commission, which showed the 30 acres in East Dennis that are currently leased by 25 farmers; and one of the methods that is used which is called “rack and bag” which is an off bottom method of grow out. This method only has a 20% mortality rate. **Mike Gibbons asked if they could live out of the water for 4 or 5 hours without water when the tide is out and Jamie said yes.** He further explained that there are icing requirements in the summer to keep the oysters from being contaminated before and during harvesting.

Jamie would like to set up the shell fish farming in an area near Bassing Beach in Cohasset which has sand flats. Brian C wanted to know if anchoring is prohibited in East Dennis and Jamie said he was not sure but said there are signs that say aquaculture to let people know. Fran said the area in Bassing beach is very busy in the summer similar to the Spit. Mike Gibbons thought the area was a little more out of the way of where the public goes and Jamie agreed. David wanted to know what “permitted” in Cohasset meant, and Jamie said the permitted areas are zoned and classified to do certain activities like shell fish harvesting. They have to test the water to make sure it is good for shell fish growing. Fran asked how much growing land Jamie had in East Dennis and he said 2

acres; and how much was in Cohasset and Jamie said at least 5 or 6 acres. The issue will be access, which is through Cohasset cove/Cohasset harbor. The Cohasset Harbor master gave Jamie the verbal approval to grow shellfish

Jamie said that Wellfleet has been doing it for years and the best way to start is to look to see what other towns are doing and to maybe appoint a Shell Fish Advisory to look at other Towns to see how they operate.

Jamie told the Commission that the name of his business was Davenport Oyster Company and he would like to call the one in Scituate The Scituate Oyster Company. Jamie thinks it would be great for Scituate to have its own Oyster. David brought up the fact that oysters also help filter the water. Fran asked about the waves and how it would affect the shellfish. Jamie thinks the area will be protected by the Glades and less volatile than the area in East Dennis. He explained that he would like to start with about 100,000 to 200,000 oysters and would use about 30 racks. He reiterated that he wants to focus on Cohasset Harbor because it is ready for farming and Scituate Harbor is not. Jamie said the fee was initially \$25 and now it is up to about \$200 per acre. Brian C asked about the flats in the South River, Jamie didn't think there was enough space and only conditionally approved due to water quality. The area in Cohasset has eel grass and a lot of water flow which is good for shell fish growing. Jamie handed out an application for a shell fish license, to the Commission. Brian Kelly asked about having a lease indefinitely and what the startup cost would be, Jamie said financially it would take about \$3000 for equipment. Jamie showed the commission oysters at varying states of growth and explained that it takes 18-24 months to grow to full size. David wanted to know if the prices of oyster are going down due to more shell fish farming, but Jamie said they are not because they are always in demand. Steve Guard wanted to know how it would affect the ocean bottom and the ecosystem, there is no evidence of damage from the structures Jamie said and the structures actually give the fish a place to live. Fran asked if it would affect soft sell clams if present; Jamie said he did not see any clams (he only saw another type of oyster) when he looked at the area and that the racks are 8 to 10 inches off the sand. Jamie went on to say that he didn't think the land is utilized today.

David asked about the float based method of growing and if you would lose some oysters that would grow on their own in the ocean. Jamie said if they found a safe place to attach they could live. Geography determines what method you use to grow and also if you have one or more people harvesting. Mike Gibbons asked if we had started an agriculture study, and Fran said they were testing the water.

Steve Guard thought a letter from the Division of Marine Fisheries saying the area was already approved in Cohasset Harbor for aquaculture would be beneficial in helping the Board of Selectmen approve the Shell Fish Farm. There was a brief discussion about the price per acre that a farmer would/should pay and that there are ways the Town can increase the fee of \$25. Mike Gibbons wanted to know how they currently monitor the quality of the oysters, Jamie said the environmental police inspect, but not very often. Mike Gibbons said there might be access to the area in Cohasset through the Glades. Steve Guard wanted to know what happens if a lot of people apply to grow in the area and what the process would be to pick the farmers who would ultimately get the permission to grow.

## OLD BUSINESS

### **Financial Review/Planning: Keith Walo and Brian Kelly**

The Commission is still waiting for updated financials from Nancy Holt. Fran said he would follow up with Nancy. David said they just need to understand the financials, revenues have gone up but expenses have gone up more. The Commission feels they cannot advise if they have not seen the financials, they cannot increase fees until they understand expenses. Jamie Gilmore said there is an electronic copy available. Brian said they need to see if revenues are going to continue to go up or eventually go flat before they increased debt service.

### **Capital Planning**

Fran feels the Commission may need additional information from Stephen regarding the boat that he wants to purchase. The price of the boat increased from \$300,000 to \$420,000 and that they have not seen any specs to date. The Commission did not have an opportunity to discuss the purchase of the boat before it was added to the Capital Plan. Brian Cronin asked Jamie Gilmore if it was going to be presented at Town Meeting. Jamie explained that there is a rating system and suggested that the Commission talks to Capital Planning. When it was presented to advisory, Jamie said they were thinking about flexibility and usability, but Jamie thinks the Commission can recommend different alternatives, Jamie said he also thought the Town was ignoring another resource (the Safe Boat) which is currently at the Fire Station. Jamie will bring the issue back to the Advisory Committee. Brian C said we need to look at repairs from the past storms or emergency which may cost a lot of money; the fund needs money for an emergency situation. Also, the Consultant recommended having money in the bank in case of an emergency like jetty work and or dredging. The Commission did not want to liquidate the Enterprise Fund to pay for the boat. Brian Kelly wanted to know how the boat was going to be paid for, by Grant or out of Enterprise Fund. David Friedman thought they would take out a loan and pay it back out of the Enterprise Fund (\$50,000 a year?). Mike Gibbons said we need a fire boat or a boat with fire hose capacity that is better than what we have today; he also liked the idea of sharing the boat between the fire department and harbormaster. Brian C brought up the fact that the Town just spent \$150,000 two years ago on a new boat. **Jamie thought Nancy Holt, Stephen and Chief Murphy should come back to a Waterways meeting to discuss financials regarding the purchase of the boat.** David thinks it is too late because it was approved by Capital Planning and is now going to Town Meeting for approval in April. Steve Guard thought a Calvin Beal may be too expensive and that there might be a cheaper alternative. Jamie told the Commission that State procurement law requires the Town would have to put it out to bid. Steve Guard is in favor of a new boat and thinks the other boat is not an effective solution and that we are under protected if we have a fire. He also felt a dive platform would be useful, as well as the additional space on the boat. Fran will contact Stephen when he is back from vacation. Steve Guard thinks that at Town Meeting, the Commission will be asked for their opinion on the approval of the warrant. Jamie Gilmore and Brian C said the Commission could ask to send it back and send an alternative solution **at** Special Town meeting instead.

David asked about the pilings at the Maritime Center and was wondering if some of the cost was being rolled into the Cole Parkway project (\$140,000). Mike Gibbons thought that Stephen was just going to take advantage of the equipment from the Cole Parkway project.

Mike Gibbons asked about why we cannot raise the mooring fees, Fran said we have to justify any mooring fee increase, but that slip fees can be set by The Board of Selectmen.

### **Cole Parkway Marina Rehab Progress Report**

Fran said the project construction should commence on October 16, 2018 and that the Seaport council was trying to get more money. He said that Stephen applying to reconfigure the footprint. As of the last meeting the design was at 50% completion. **Brain Cronin wanted to know if we could get an electronic copy of the design.**

### **NEW BUSINESS**

Brian Kelly wanted to know about mooring rules and regulations. He identified some minor discrepancies between mooring and slip regulations and felt the rules should be the same. Brian wanted to highlight these areas for discussion at the next meeting.

- No late fees for slip holders only mooring holders.
- Discrepancies between when someone leases a mooring vs. leaving a slip. **Brian C wanted to know if the differences were due to the specific slip contract.**

Mike Gibbons said that a few of the pilings on the south side of the town pier are pushed back against the seawall and the gangway is in the water from the last storm.

Mike Gibbons suggested replacing the welcome sign that used to be in the entrance of the harbor and also a speed sign, (no wake) and a sign that identified the relevant channels for boaters. These signs were lost in one of the previous storms and not replaced.

**There being no more business to discuss, a motion to adjourn was made by Fran McMillen at 8:44 seconded by Brian Cronin; Unanimous vote (7-0)**

Respectfully submitted,

Lianne Cataldo  
Recording Secretary

### **List of Documents:**

- Agenda
- Meeting Minutes from 1/3/18
- Denial letter from Patricia Veneshi
- Application for shell fish license
- Bulletin board showing oyster farms in East Dennis and potential area in Cohasset harbor

**Follow Up:**

- *Write a letter in favor for Nancy Durfee for South River Dredge Project – Fran McMillen and Mike Gibbons*
- *Keith Walo, Brian Kelly and David Friedman to present Phase II of the Financial Review of Enterprise Fund; still need up-to-date financials – Fran McMillen to follow up with Nancy Holt*
- *Electronic copy of the design progress to date of the Cole Parkway Marina Rehab project*
- *Contact Stephen Mone about the specifications of the boat – Fran McMillen*
- *Slip and Mooring discrepancies*
- *Next meeting, April 4, 2018 at the Maritime Center*