

Pier ban for shellfish areas proposed

Town-wide protections to be sought for designated areas

By David Still II

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A proposal to ban new piers and docks in areas designated for recreational shellfishing and relay areas is expected to be presented to the town council in the next month.

Cotuit Town Councilor Rick Barry is circulating a draft of a zoning overlay district that would cover all such areas across town.

Barry sees it as a "no-brainer" to protect areas already identified as beneficial to the shellfish

resources. Recreational and relay areas were viewed as a good place to start, as they are already defined by the town and state Department of Marine Fisheries.

In 2001 the town council approved a pier and dock ban for the Cotuit shoreline, allowing only the rebuilding of existing structures.

Barry was instrumental in pushing for that change and adapted the language to cover recreational shellfish and relay areas on the north and south sides of Barnstable.

A relay area is one with little natural shellfish habitat used to deposit shellfish harvested from contaminated areas. After the shellfish purify themselves they become

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available for harvest.

Barry expects to hear opposition on the proposal from some of his fellow councilors, including Osterville's Jim Crocker. Crocker confirmed his opposition in an interview this week, viewing it as an elimination of property rights.

The town has a long history of performing these relays, with reports of such efforts starting in the 1930s.

At Tuesday night's Barnstable Association of Recreational Shellfishers (BARS) meeting, there was some discussion about the encroachment of piers into shellfish areas.

It was a member of BARS who approached Barry to initiate the zoning proposal.

In particular, it was the approval of a pier in the Cordwood area of Cotuit, which came against the wishes of BARS and the recommendation of the town's shellfish biologist, that got the zoning

effort moving, said Barry.

Barry said that the draft is being circulated through town hall for comments. He expects to formally offer it shortly, perhaps at the council's April 19 meeting.

Barry was at the Barnstable Shellfish committee's March 21 meeting to discuss the proposal and received comments of support. The committee did not have a quorum at that meeting, but members speaking individually saw it as a good start for protecting shellfish resources.

"In my personal opinion, because of this whole bag issue, we've got to start doing something," Barry told the shellfish committee.

He was referring to the recent dispute of the use of floating oyster bags for aquaculture. (see related). His proposal would have no effect one way or another on the use of oyster bags.

Barry is looking for formal support of the shellfish committee at its next meeting on April 18.

The Proposed Areas

The areas specifically addressed in the draft pier and dock ban are as follows:

- **Barnstable Harbor** - Scudder Lane Recreational Area
- **Hyannis Harbor** - Relay area between the Hyannisport Yacht Club and 10 Hyannis Ave.

- **West Bay (Osterville)** - Relay area, from the Bridge Street bridge to 52 Bridge street, and 134 South Bay Rd. to 53 Bridge street, and the West Bay Landing at Bridge Street to the Wianno Yacht Club pier.

- **North Bay (Osterville/Cotuit)** - Relay areas from 81 to 86 Sand Point Road, and from the Bay Street landing to 237 Seapuit Rd.

- **Cotuit Bay** - Relay area from 884 Main Street to the offshore sign/buoy, Bluff Point relay area from 124 Bluff Point Dr. to 996 Main Street; Cordwood relay area from the Cotuit Oyster Co. pier to the green buoy at the southern end of the Narrows to 797 Old Post Road; Cordwood recreational area from 671 Old Post Rd. to 721 Old Post Road.