

**Board of Selectmen  
Minutes of Tuesday, January 25, 2022  
Zoom Remote – Public Access**

---

**ATA Glenn Cannon**

**Board of Selectmen**

Peter Meier, Chair  
George Slade, Clerk  
Judy Froman, Vice Chair  
Mary Jane Mastrangelo  
Jared MacDonald

**Excused**

**Others:** Chris Southwood, Director of Natural Resources, Erica Flemming, Finance Director, Michael Rausch.

Note this Zoom videoconference meeting is being televised, streamed, or recorded by Bourne TV.

If anyone from the public wishes to access the meeting, they can do so by calling the following conference line: **1-929-205-6099 Meeting ID: 847 9052 4776 Password: 059436.**

If you already have the Zoom App downloaded to your device or computer, you may simply join the meeting by entering the Meeting ID and Password noted above or go to <https://zoom.us/meetings> and look for the Join Meeting button. Please MUTE your phone/microphone upon entry.

Participants wishing to speak should click the “Participants” icon on the lower toolbar and then click “Raise Hand” in the dialog box to notify the Chair. The Chair will recognize participants. For participants who are calling into the meeting and wishing to speak, they should press \*9 to notify the Chair. The Chair will recognize participants.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

**6:30 PM Call Public Session to Order in Open Session**

- 1. Moment of Silence to recognize our Troops and our public safety personnel.**
- 2. Salute to the Flag**
- 3. Vision:** Bourne is a proud community that embraces change while respecting the rich heritage of the town and its villages. It is a municipality based on strong fiscal government with a durable economy that recognizes the rights of all citizens, respects the environment, especially the coastal areas of the community and the amenities that it affords. Bourne embraces excellent education, and offers to citizens a healthy, active lifestyle.

**RECEIVED**  
**2022 MAR 23 PM 1:27**  
**TOWN CLERK BOURNE**

4. **Mission:** Bourne will maximize opportunities for social and economic development while retaining an attractive, sustainable, and secure coastline and environment for the enjoyment of residents and visitors. Through responsible and professional leadership and in partnership with others, Bourne will strive to improve the quality of life for all residents living and working in the larger community.
5. **Public Comment on Non-Agenda Items**
  - a. Public comments are allowed for up to a total of 12 minutes at the beginning of each meeting. Each speaker is limited to 3 minutes for comment. Based on past practice, members of the Board are not allowed to comment or respond.
6. **Approval of Minutes: 12/21/21**

**Voted:** Judy Froman moved, and Jared MacDonald seconded to approve the minutes of December 21, 2021.

**Roll Call Vote:** Jared MacDonald -yes, Mary Jane Mastrangelo – yes, Judy Froman – yes, George Slade – yes, and Chair Meier – yes.

**Vote:** 5-0-0.

7. **Appointments and Licenses**
  - a. **6:45 PM Public Hearing: Discussion and possible vote relative to Aquaculture/Shellfish Grant Renewals for Patrick Ross, Dan Maurice, James Rossignol, Bruce Silverbrand, John Ross, and Rodman Taylor.**
  - b. **Discussion and possible vote to approve a Common Victualer license (food) for Gallo Ice Arena Concession Stand at 231 Sandwich Road, Bourne.**

Chair Meier said that item 7.a. is scheduled for 6:45 so item 7.b. will be next.

- 7.b. **Discussion and possible vote to approve a Common Victualer license (food) for Gallo Ice Arena Concession Stand at 231 Sandwich Road, Bourne.**

Barry Johnson said he was here on behalf of the Bourne Recreation Authority (BRA), and he said that this past fall they put out a request for proposal to lease the snack bar at the John Gallo Ice Arena for a five-year period. They awarded a contract to a certain person and sometime in December, they were notified that the individual could no longer fulfill the obligations under the lease and is seeking to cancel the lease. The governing board members of the Recreation Board voted and sent a letter to him saying that “pursuant to section 11.1 – default of lessee, of an agreed lease dated September 15<sup>th</sup>, you are hereby notified that the BRA has terminated this agreement effective January 7<sup>th</sup>, 2022”.

He said the Board is now considering operating it themselves, with their own staff, and maybe hiring an outside employee. He said the manager is John Hickey. He said that they have provided all necessary information for the Board. He said they anticipate operating the snack bars in the ice arena only until the end of the season, which is when the BRA will re-evaluate.

Mary Jane Mastrangelo asked if the staff will be Serv Safe certified, and Mr. Johnson said yes, they will and that the Board of Health will inspect before opening. George Slade asked when the season ends, and Mr. Johnson said usually until mid-April.

**Voted:** Mary Jane Mastrangelo moved, and Judy Froman seconded, to approve a Common Victualer License (food) for Gallo Ice Rink Concession Stand at 231 Sandwich Road, Bourne.

**Roll Call Vote:** George Slade – yes, Judy Froman – yes, Mary Jane Mastrangelo – yes, Jared MacDonald - yes, and Chair Meier – yes.

**Vote:** 5-0-0.

Chair Meier said they will take items 8.c. and 8.b. out of order due to it being too early for item 7.a.

**8.c. Discussion and possible vote to waive the thirty (30) day review period relative to adding Assistant Health Agent to the Table of Organization as required by Town Charter Section 5.1 (Table of Organization).**

Acting Town Administrator Glenn Cannon said that this is for an upgrade of an existing position. They would like to upgrade one of the Health Inspectors to an Assistant Health Agent. He said that this is doable in the Health Department budget.

**Voted:** Mary Jane Mastrangelo moved, and Jared MacDonald seconded, to waive the thirty-day (30) review period for the Assistant Health Agent. This action will allow the Town to move forward with the hiring process of an Assistant Health Agent in the Health Department.

**Roll Call Vote:** Judy Froman – yes, Mary Jane Mastrangelo – yes, Jared MacDonald - yes, George Slade – yes, and Chair Meier – yes.

**Vote:** 5-0-0.

**8.b. Discussion and possible vote to advance the Fiscal Year 2023 Operating Budget, the Capital Improvement Program (the 5-year plan) and the Fiscal year 2023 Capital Budget to the Finance Committee.**

Chair Meier said that according to the Charter this must be done by February 1<sup>st</sup>. Judy Froman said she supports moving the budget forward to compare it with the goals that are in the Strategic Plan and to make sure that they are supporting the goals that have been put forward. Mary Jane Mastrangelo said she would like to wait until next week to forward the budget as there might be some adjustments needed. Chair Meier said, as part of the strategic plan, he would like to see if they can fund a full-time Fire Inspector/Day Officer. Ms. Froman said that one of the strategic goals that should be a priority is a stronger website, and presence in that way, and it needs to be invested in. It was decided to wait until next week so discussions can be made before advancing the budget. Mr. Cannon said that the Board can always work on the budget and that some time should be set aside in early March to really finalize the budget and have a thorough review.

**7.a. 6:45 PM Public Hearing: Discussion and possible vote relative to Aquaculture/Shellfish Grant Renewals for Patrick Ross, Dan Maurice, James Rossignol, Bruce Silverbrand, John Ross, and Rodman Taylor.**

NOTICE  
TOWN OF BOURNE  
PUBLIC HEARING NOTICE

Notice is hereby given in accordance with provisions of Chapter 130, Section 60 of MGL as amended and Rules and Regulations and Application Requirements promulgated by the Board of Selectmen, that Patrick Ross, 6 Benedict Rd., Bourne, MA 02532; Bruce Silverbrand, 18 Bayberry Rd., Bourne, MA 02532; John Ross, 20A Dry Cedar Swamp Road, Bourne, MA 02532; Dan Maurice, 2 Evergreen Hill Rd., Monument Beach, MA 02553; James Rossignol, 21 Dollins Rd., Pocasset, MA 02559; Rod Taylor, 1 Shipyard Lane, Cataumet, MA 02534 have filed applications to renew existing Aquaculture/Shellfish Grant operation licenses within the municipal waters of the Town of Bourne. The applications, including a plan showing the specific locations of the existing sites, can be viewed at Town Hall.

**Voted:** Judy Froman moved, and George Slade seconded, to open the Public Hearing.

**Roll Call Vote:** George Slade – yes, Judy Froman – yes, Mary Jane Mastrangelo – yes, Jared MacDonald - yes, and Chair Meier – yes.

**Vote:** 5-0-0.

Chris Southwood, Natural Resources Director, said he was here tonight to recommend the aquaculture license renewals for the following Bourne residents: Patrick Ross, Daniel Maurice, James Rossignol, Bruce Silverbrand, John Ross, and Rodman Taylor. He said the past few years these growers have had to deal with financial impacts associated with the pandemic, and fortunately for some of them, they were able to utilize state grant funds to offset some of these losses. These applicants are up to date on their paperwork and fees and there have not been any issues with any of them since the last renewal, which was two years ago. He is recommending to the Board to renew these licenses to expire on December 31, 2023.

Ms. Froman asked if there were additional people that applied that did not get them. Mr. Southwood said that they are still under a moratorium through the Select Board and some people have called about the possibility of getting grants and there are many caveats about the criteria for space to be used for aquaculture.

**Voted:** George Slade – yes, Judy Froman – yes, Mary Jane Mastrangelo – yes, Jared MacDonald - yes, and Chair Meier – yes.

**Vote:** 5-0-0.

**Voted:** Judy Froman moved, and Mary Jane Mastrangelo seconded, to renew the existing Aquaculture/Shellfish Grant operation licenses for the following individuals:

- Patrick Ross, 6 Benedict Rd., Bourne, MA 02532;
- Bruce Silverbrand, 18 Bayberry Rd., Bourne, MA 02532;



- John Ross, 20A Dry Cedar Swamp Road, Bourne, MA 02532;
- Dan Maurice, 2 Evergreen Hill Rd., Monument Beach, MA 02553;
- James Rossignol, 21 Dollins Rd., Pocasset, MA 02559;
- Rod Taylor, 1 Shipyard Lane, Cataumet, MA 02534

**Roll Call Vote** – Jared MacDonald – yes, Mary Jane Mastrangelo – yes, Judy Froman - yes, George Slade – yes, and Chair Meier – yes.

**Vote:** 5-0-0.

## **8. Selectmen's Business**

- a. Discussion and possible vote to approve the sale and issuance of Bond Anticipation Notes (BAN).**
- b. Discussion and possible vote to advance the Fiscal Year 2023 Operating Budget, the Capital Improvement Program (the 5-year plan) and the Fiscal year 2023 Capital Budget to the Finance Committee.**
- c. Discussion and possible vote to waive the thirty (30) day review period relative to adding Assistant Health Agent to the Table of Organization as required by Town Charter Section 5.1 (Table of Organization).**

### **8.a. Discussion and possible vote to approve the sale and issuance of Bond Anticipation Notes (BAN).**

Erica Flemming, Finance Director, said that before the Board tonight is a vote to approve the sale of Bond Anticipation Notes in the amount of \$6,242,359.00. She said they are rolling forward outstanding debt that has become due on February 1<sup>st</sup>. she said that this amount has been reduced by \$270,000.00, due to a budgeted pay down and timing. She said that in anticipation of the renewal and the sale they did have a bond rating call with Moody's and this call went very well as the Town received the highest rating for their short-term debt and AA+ was affirmed, which is still a great rating, and they pushed hard for the triple rating.

**Voted:** George Slade moved, and Jared MacDonald seconded, to approve the sale and issuance of the Bond Anticipation Notes (BAN) as presented. 2021.

**Roll Call Vote** – Jared MacDonald – yes, Mary Jane Mastrangelo – yes, Judy Froman - yes, George Slade – yes, and Chair Meier – yes.

**Vote:** 5-0-0.

### **8.b. Discussion and possible vote to advance the Fiscal Year 2023 Operating Budget, the Capital Improvement Program (the 5-year plan) and the Fiscal year 2023 Capital Budget to the Finance Committee.**

Discussed earlier.

### **8.c. Discussion and possible vote to waive the thirty (30) day review period relative to adding Assistant Health Agent to the Table of Organization as required by Town Charter Section 5.1 (Table of Organization).**

Discussed earlier.

**9. Town Administrator - None.**

**10. Correspondence**

George Slade said there was none.

**11. Committee Reports**

Judy Froman said that they did have a Cape Cod Metropolitan Planning Organization Meeting this week and they need to think about any long-term projects and if so to reach out to her or Mr. Cannon. Chair Meier said a suggestion for a project is that there was a discussion about Shore Road and Barlow's Landing and the Five Corners intersections and if these projects would be eligible, he would like to see them get any money that is out there.

Mr. Slade said that the deadline of February 3<sup>rd</sup> is approaching for public comment for the stakeholders, town officials, elected and appointed, on their priorities for eligible uses of ARPA funds.

**12. Adjourn**

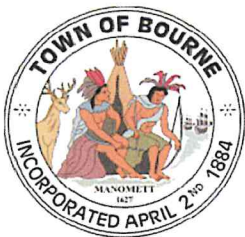
**Voted:** Judy Froman moved, and Mary Jane Mastrangelo seconded to adjourn.

**Roll Call Vote** – Jared MacDonald – yes, Mary Jane Mastrangelo – yes, Judy Froman - yes, George Slade – yes, and Chair Meier – yes.

**Vote:** 5-0-0.

Respectfully Submitted,

Kim Johnson, Recording Secretary



## Board of Selectmen Meeting Notice AGENDA



Date

January 25, 2022

Time

6:30 PM

Location

Zoom Remote  
Public Access – See Below

Note this Zoom videoconference meeting is being televised, streamed or recorded by Bourne TV

If anyone from the public wishes to access the meeting, they can do so by calling the following conference line: **1-929-205-6099 Meeting ID: 847 9052 4776 Password: 059436**

If you already have the Zoom App downloaded to your device or computer, you may simply join the meeting by entering the Meeting ID and Password noted above, or go to <https://zoom.us/meetings> and look for the Join Meeting button. Please MUTE your phone/microphone upon entry.

Participants wishing to speak should click the “Participants” icon on the lower toolbar and then click “Raise Hand” in the dialog box to notify the Chair. The Chair will recognize participants. For Participants who are calling into the meeting and wishing to speak should press \*9 to notify the Chair. The Chair will recognize participants.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

### 6:30 PM Call Public Session to Order in Open Session

1. Moment of Silence to recognize our Troops and our public safety personnel
2. Salute to the Flag
3. Vision: Bourne is a proud community that embraces change while respecting the rich heritage of the town and its villages. It is a municipality based on strong fiscal government with a durable economy that recognizes the rights of all citizens, respects the environment, especially the coastal areas of the community and the amenities that it affords. Bourne embraces excellent education, and offers to citizens a healthy, active lifestyle.
4. Mission: Bourne will maximize opportunities for social and economic development while retaining an attractive, sustainable and secure coastline and environment for the enjoyment of residents and visitors. Through responsible and professional leadership and in partnership with others, Bourne will strive to improve the quality of life for all residents living and working in the larger community.
5. Public Comment on Non-Agenda Items

2022 JAN 21 PM 11:52  
TOWN CLERK BOURNE

RECEIVED

- a. Public comments are allowed for up to a total of 12 minutes at the beginning of each meeting. Each speaker is limited to 3 minutes for comment. Based on past practice, members of the Board are not allowed to comment or respond.
6. Minutes: 12/21/21
7. Appointments and Licenses
  - a. **6:45 PM Public Hearing:** Discussion and possible vote relative to Aquaculture/Shellfish Grant Renewals for Patrick Ross, Dan Maurice, James Rossignol, Bruce Silverbrand, John Ross, and Rodman Taylor.
  - b. Discussion and possible vote to approve a Common Victualer License (food) for Gallo Ice Arena Concession Stand at 231 Sandwich Road, Bourne.
8. Selectmen's Business
  - a. Discussion and possible vote to approve the sale and issuance of Bond Anticipation Notes (BAN).
  - b. Discussion and possible vote to advance the Fiscal Year 2023 Operating Budget, the Capital Improvement Program (the 5 year plan) and the Fiscal year 2023 Capital Budget to the Finance Committee.
  - c. Discussion and possible vote to waive the thirty (30) day review period relative adding the Assistant Health Agent to the Table of Organization as required by Town Charter Section 5.1 (Table of Organization).
9. Town Administrator
10. Correspondence
11. Committee Reports
12. Adjourn

**Town of Bourne**

Selectmen/Town Administrator's Office

24 Perry Ave.

Buzzards Bay, Massachusetts 02532

(508) 759 – 0600, ext. 1307

**PUBLIC HEARING NOTICE**

Notice is hereby given in accordance with provisions of Chapter 130, Section 60 of MGL as amended and Rules and Regulations and Application Requirements promulgated by the Board of Selectmen, that Patrick Ross, 6 Benedict Rd., Bourne, MA 02532; Bruce Silverbrand, 18 Bayberry Rd., Bourne, MA 02532; John Ross, 20A Dry Cedar Swamp Road, Bourne, MA 02532; Dan Maurice, 2 Evergreen Hill Rd., Monument Beach, MA 02553; James Rossignol, 21 Dollins Rd., Pocasset, MA 02559; Rod Taylor, 1 Shipyard Lane, Cataumet, MA 02534 have filed applications to renew existing Aquaculture/Shellfish Grant operation licenses within the municipal waters of the Town of Bourne. The applications, including a plan showing the specific locations of the existing sites, can be viewed at Town Hall.

A public hearing (virtual) will be held on January 25th at 6:45 PM  
Zoom meeting information can be found on the Town of Bourne website  
(townofbourne.com) calendar links.

RECEIVED

2022 JAN 12 AM 8:35

TOWN CLERK BOURNE

**BOARD OF SELECTMEN**

Peter J. Meier, Chair

Judith MacLeod-Froman, V. Chair

George G. Slade, Jr., Clerk

Jared P. MacDonald

Mary Jane Mastrangelo

For publication in the January 12<sup>th</sup>, 2022 edition of the Cape Cod Times.



## Department of Natural Resources

# Memorandum

**To:** Board of Selectmen, Town Administrator

**From:** Chris Southwood, DNR Director

**Date:** January 25, 2022

**Subject:** Aquaculture Renewal Licenses – P. Ross, D. Maurice & J. Rossigniol, B. Silverbrand, J. Ross, Rodman Taylor

---

Selectmen,

As per MGL Chap 130 Sec 60, this Public Hearing was duly advertised in a local newspaper, The Cape Cod Times, on January 12, 2022 and a Notice of Public hearing was posted in three public places, Town Hall and two Post Offices (Buzzards Bay & Pocasset), on January 12, 2022.

Included are applications for five aquaculture licenses in the town of Bourne. Four shellfish grants throughout town and one shellfish upweller aquaculture location at Kingman Yacht Center. All applicants are properly permitted through the Division of Marine Fisheries (DMF) which have been extended through January and the 2022-2023 Town of Bourne license renewals are attached. I am recommending the selectboard renew all five applications. Section 8.5 of Bourne's aquaculture regulations state licenses will be issued for two years. The attached licenses are valid January 25, 2022 and expire December 31, 2023. All applicants are current with proper documentation and fee requirements and are conducting their operations within the local and state regulations prescribed. All applicants should be allowed to continue without interruption. The Town of Bourne Shore and Harbor Committee unanimously approved recommendation of all license renewals at their posted December 13, 2021 meeting.

The Town of Bourne Shore and Harbor Committee voted unanimously to renew all of these aquaculture licenses at their December 13<sup>th</sup>, 2021 public meeting.

Patrick Ross: 6 Benedict Road, Bourne, MA 02532 – Aquaculture License: Bourne 1-23

Dan Maurice: 2 Evergreen Hill Rd., Monument Beach, MA 02553 – Aquaculture License: Bourne 2-23

James Rossigniol: 26 Pocahontas Road, Pocasset, MA 02559 – Aquaculture License: Bourne 2-23

Bruce Silverbrand: 18 Bayberry Road, Bourne, MA 02532 – Aquaculture License: Bourne 4-23

John Ross: 20A Dry Cedar Swamp Road, Bourne, MA 02532 – Aquaculture License: Bourne 5-23

Rodman Taylor: 1 Shipyard Lane, Cataumet, MA 02534 -- Aquaculture License: Bourne 6-23

**Town of Bourne**

Selectmen/Town Administrator's Office

24 Perry Ave.

Buzzards Bay, Massachusetts 02532

(508) 759 – 0600, ext. 1307

**PUBLIC HEARING NOTICE**

Notice is hereby given in accordance with provisions of Chapter 130, Section 60 of MGL as amended and Rules and Regulations and Application Requirements promulgated by the Board of Selectmen, that Patrick Ross, 6 Benedict Rd., Bourne, MA 02532; Bruce Silverbrand, 18 Bayberry Rd., Bourne, MA 02532; John Ross, 20A Dry Cedar Swamp Road, Bourne, MA 02532; Dan Maurice, 2 Evergreen Hill Rd., Monument Beach, MA 02553; James Rossignol, 21 Dollins Rd., Pocasset, MA 02559; Rod Taylor, 1 Shipyard Lane, Cataumet, MA 02534 have filed applications to renew existing Aquaculture/Shellfish Grant operation licenses within the municipal waters of the Town of Bourne. The applications, including a plan showing the specific locations of the existing sites, can be viewed at Town Hall.

A public hearing (virtual) will be held on January 25th at 6:45 PM

Zoom meeting information can be found on the Town of Bourne website  
(townofbourne.com) calendar links.

RECEIVED

2022 JAN 12 AM 8:35

TOWN CLERK BOURNE

**BOARD OF SELECTMEN**

Peter J. Meier, Chair

Judith MacLeod-Froman, V. Chair

George G. Slade, Jr., Clerk

Jared P. MacDonald

Mary Jane Mastrangelo

For publication in the January 12<sup>th</sup>, 2022 edition of the Cape Cod Times.









Richard Libin, Chairman  
David Wiggin, Vice-Chairman  
Paul Bushueff, Clerk  
David Crane  
Irving Salley  
Pat Ross  
Andrew Campbell

**TOWN OF BOURNE**  
**Shore & Harbor Committee**  
24 Perry Avenue  
Buzzards Bay, MA 02532



RECEIVED  
2022 JAN 19 AM 8:38  
TOWN CLERK BOURNE

December 13, 2021 – Bourne Middle School | Bourne, MA

Meeting called to order at 6:35 p.m.

Members in Attendance: Richard Libin, David Wiggin, Irving Salley, David Crane, Andy Campbell, Paul Bushueff.

Members Absent: Pat Ross

Guests: Harbormaster, C Southwood, and see attached list

**Commercial Shellfish Grant Renewal**

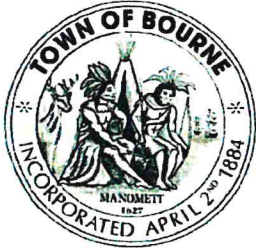
Aquaculture Renewal of Licenses MGL Chap 130 Sec 60, for:  
Patrick Ross, Daniel Maurice & James Rossigniol, Bruce Silverbrand, John Ross, and Rod Taylor;  
were discussed, DNR director Chris Southwood stated that there were no complaints or concerns with these grants and recommended renewal.  
The Committee recommended approval. A unanimous vote, on a motion by Wiggin, seconded by Crane.

**Approval of Previous Meeting Minutes**

Minutes of November 23, 2021 were reviewed and changes noted. Changes will be incorporated for approval at the next meeting.

**Pocasset River Project**

A contract has been awarded to a Wisconsin company, Land Marine Supply, Inc. Tim Groh is the Principal. This innovative methodology has been successfully deployed elsewhere but is the first time to be a Barnstable County supported project.



# TOWN OF BOURNE

LICENSE NUMBER: **Bourne 1-23**

Aquaculture license to plant, grow and take shellfish from the water of Bourne, as indicated on a plan on file in the offices of the Board of Selectmen and the Department of Natural Resources. This license is issued in accordance with Massachusetts General Laws, Chapter 130 Sec. 57 through 68, and the Town of Bourne Aquaculture Regulations.

Issued to: **Mr. Patrick Ross, 6 Benedict Road, Bourne, MA 02532**, subject to such regulations and restrictions as may be established by the Board of Selectmen and federal and state regulatory agencies. This license does not grant any property rights. Any use of this license for other than digging and taking of shellfish upon privately owned property may not proceed over the objection of the property owner. Pursuant to General Laws Chapter 130, Section 57, the license may not impair the private rights of any person. This license does not authorize any injury to private property or invasion of private rights. The issuance of this license is not a determination of title or ownership. The licensee acknowledges, it is the responsibility of the licensee to obtain permission, if required, from a private property owner before exercising the rights conferred by this license other than for digging and taking of shellfish. The license holder is on notice that owners of the property described above may bring an action for trespass in a court of competent jurisdiction. A license holder may not rely on this license as a defense to an action in trespass.

Any shellfish licensed area bounded by a navigational channel, as defined by the Harbor Master, that has migrated by natural or man-made causes into or through a permitted shellfish licensed area and has eroded a portion of the permitted land within the licensed area to a navigational depth of at least three (3) feet at mean low water, said channel shall become the natural boundary of the licensed area and supersede any previous agreed boundaries of the licensed area. The license holder shall sacrifice any and all rights of his/her licensed area within this defined navigational channel. Said licensed area in the waters of Bourne is bounded by the following coordinates: See reverse for locations.

LICENSE ISSUED: **January 25, 2022**

LICENSE EXPIRES: **December 31, 2023**

\_\_\_\_\_  
Peter Meier, Chair

\_\_\_\_\_  
Judith MacLeod-Froman, Vice Chair

\_\_\_\_\_  
George G. Slade, Jr., Clerk

\_\_\_\_\_  
Jared P. MacDonald

\_\_\_\_\_  
Mary Jane Mastrangelo





TOWN OF BOURNE  
Department of Natural Resources

24 Perry Avenue - Room 102  
Buzzards Bay, MA 02532-3441  
<http://www.townofbourne.com>



RECEIVED

DEC 16 2021

D.N.R.

Shellfish Constable, Marinas, Herring Agent, Harbor Master, Fish & Game Enforcement, Conservation Enforcement & More

OFFICE: (508) 759-0621  
POLICE: (508) 759-4451  
MARINAS: (508) 759-3105  
FAX: (508) 759-8026

AQUACULTURE/SHELLFISH GRANT PERMIT APPLICATION

Requirements are specified in the accompanying Aquaculture/Grant Regulations; If all requirements are met, complete this Application and submit with the appropriate payment (Payable to "Town of Bourne") to the Department, along with a copy of your Drivers License or State ID Card, and any supporting documentation specified in the Regulations, requested by the Department or indicated below, or that you feel may assist us in making a determination to approve your Application. The burden of any proof regarding eligibility and requirements rests solely with the Applicant. \* Complete all information and print clearly \*

NEW: \_\_\_\_\_ RENEWAL: X

PROPOSED LOCATION OF GRANT: Describe below the specific measurements in feet of the desired area using land boundaries when possible. Attach a sketch or locus map indicating the boundaries and total square feet.

PRIMARY SITE REQUESTED: Aqua-1, Aqua-1ext, Aqua-1ext2

ALTERNATE SITE REQUESTED: \_\_\_\_\_

NAME (FULL): Patrick Ross

DATE OF BIRTH: [REDACTED]

PLACE OF BIRTH: Plymouth MA

LEGAL ADDRESS: 6 Benedict Rd 02532

HOME PHONE: [REDACTED]

CELL PHONE: same

EMAIL ADDRESS: [REDACTED]

TIME AT ABOVE ADDRESS: 12 years

IF LESS THAN 1 YEAR, PREVIOUS ADDRESS: \_\_\_\_\_

\*ATTACH EVIDENCE OF RESIDENCY

MAILING ADDRESS (If Different): \_\_\_\_\_

CURRENT/PREVIOUS TOWN PERMITS & DATES: Aquaculture Permit 2012-2021

OTHER/PREVIOUS TOWNS & DATES PERMITTED IN: \_\_\_\_\_

LIST ANY DENIALS/VIOLATIONS IN ANY TOWN: \_\_\_\_\_

\*ATTACH MA COMMERCIAL PERMIT - PERMIT #: 169654 YEARS HELD: 9

PRIMARY OCCUPATION: Healthcare Policy

EMPLOYER/ADDRESS/PHONE: Point 2 Health | Wellness Way Canton MA 02021

\*ATTACH PRIMARILY USED VEHICLE REGISTRATION - REG #: \_\_\_\_\_

VEHICLE MAKE: Chev VEHICLE MODEL: Silverado VEHICLE COLOR: Silver

\* ATTACH BOAT REGISTRATION - MS/DOC #: \_\_\_\_\_

BOAT LENGTH: 25 BOAT COLOR: white BOAT TYPE: skiff

- ANY CHANGES IN THIS INFORMATION MUST BE REPORTED TO THE D.N.R. IMMEDIATELY!

I, the undersigned and as named on Page 1, affirm that the information on Pages 1 & 2 of this Application is true, complete and correct and affix my signature hereto under the pains and penalties of perjury. By signing below, I agree to abide by the Shellfish Regulations and any other applicable rules and regulations of the Town of Bourne, as well as all applicable laws, rules and regulations of the Commonwealth of Massachusetts. I understand that perjury, misleading statements, or failure to abide by any laws, rules and regulations may result in permit denial, suspension, or revocation; without compensation or reimbursement, if suspended or revoked.

SIGNED: 

EMPLOYEE: \_\_\_\_\_

West Side Toby's Island/Aqua 1

- |                              |                             |                             |                             |
|------------------------------|-----------------------------|-----------------------------|-----------------------------|
| 1. 41°42.388'N, 70° 37.576'W | 2. 41°42.370'N, 70°37.555'W | 3. 41°42.341'N, 70°37.611'W | 4. 41°42.359'N, 70°37.629'W |
|------------------------------|-----------------------------|-----------------------------|-----------------------------|

Little Bay/Aqua-1-Ext

- |                                 |                                |                                |                                |
|---------------------------------|--------------------------------|--------------------------------|--------------------------------|
| 1. 41°42'25.26"N, 70°37'3.40"W  | 2. 41°42'23.89"N, 70°37'3.24"W | 3. 41°42'23.90"N, 70°37'2.23"W | 4. 41°42'22.38"N, 70°37'1.68"W |
| 5. 41°42'22.14"N, 70° 37'5.52"W | 6. 41°42'25.20"N, 70°37'5.16"W |                                |                                |

Mashnee Dike/Hog Island - Aqua-2-Ext

1. 41°43'30.320"N, 70°38'1.968"W
2. 41°43'31.656"N, 70°38'0.276"W
3. 41°43'32.196"N, 70°37'57.36"W
4. 41°43'34.284"N, 70°37'50.808"W
5. 41°43'33.348"N, 70°37'50.232"W
6. 41°43'31.836"N, 70°37'56.892"W
7. 41°43'29.604"N, 70°38'1.464"W





CHARLES D. BAKER  
Governor

KARYN E. POLITO  
Lt. Governor

KATHLEEN A. THEOHARIDES  
Secretary

RONALD S. AMIDON  
Commissioner

DANIEL J. MCKIERNAN  
Director

# The Commonwealth of Massachusetts

## Division of Marine Fisheries

251 Causeway Street, Suite 400, Boston, MA 02114  
p: (617) 626-1520 | f: (617) 626-1509  
[www.mass.gov/marinefisheries](http://www.mass.gov/marinefisheries)



PATRICK A. ROSS  
MONKS COVE SEA FARM  
6 BENEDICT RD.  
BOURNE, MA 02532

164798

### **SHELLFISH AQUACULTURE/PROPAGATION PERMIT CONDITIONS** Effective January 1, 2021 - December 31, 2021

#### **General Conditions**

1. All activities conducted under authority of this permit shall be completed in accordance with the provisions of **322 CMR** (Code of Massachusetts Regulations); **6.00: Regulation of Catches; 12.00: Protected Species; 15.00: Management of Marine Aquaculture; 16.00: Shellfish Sanitation, Harvest, Handling and Management**; all pertinent sections of **Chapter 130, Massachusetts General Laws (MGL)**, and all other Division of Marine Fisheries (**DMF**) regulations and statutes pertaining to shellfish and shellfisheries, unless exempted by this permit. **No seed or adult shellfish may be introduced, transplanted or planted into coastal waters unless listed on this permit.**
2. Any violations of the conditions of this permit may result in fines, suspensions, revocation, or prosecution under pertinent sections of Chapter 130, MGL and 322 CMR.
3. All activities conducted under authority of this permit are subject to inspection at any reasonable time by **DMF** employees, **Office of Law Enforcement** environmental police officers and local Shellfish Constables (Chapter 130, section 98, MGL).
4. An annual report must be filed with **DMF** and your municipal shellfish authority (city council or select board) indicating the type, amount and source of shellfish planted, produced and/or marketed during the preceding year, including a list of all seed sales, not later than February 28, 2022 (Chapter 130, section 65, MGL).
5. All shellfish obtained for transport and propagation must be of a species and from a source approved by **DMF** and listed on this permit. **No naturally occurring shellfish from public beds may be stored on an aquaculture license site.**
6. The sale of shellfish for consumption must comply with the provisions of Chapter 130, sections 2, 80, 81, 82, and 83, MGL; 322 CMR, 6.00, 7.00 and 16.00, and 105 CMR 500.000 (**Good Manufacturing Practices for Food-Department of Public Health**) and provisions of this aquaculture permit.
7. This permit is valid until midnight December 31, 2021 for the possession of seed shellfish on the licensed aquaculture Site, and other locations authorized on this permit, unless sooner revoked for cause.
8. In the event of shellfish closures to protect public health under authority of Chapter 130, section 74A, MGL, such as those resulting from unusual rainfall, red tide or oil spills, no activity other than emergency maintenance of gear and shellfish shall be conducted unless prior permission is obtained from **DMF** or the local shellfish constable who must notify **DMF**.
9. All permit holders are required to maintain a list of individuals authorized to work on the permit holder's licensed aquaculture site. Permit holders are required to update the list regularly and to provide a copy of the most recent list of authorized individuals to their local Shellfish Constable. Non-permitted individuals authorized by the permit holder to work on an aquaculture site are not allowed to transport seed or market-size shellfish for culling and/or overwintering unless they are named on this permit and possess a copy of this permit. **Employees or other authorized individuals may sell shellfish to a wholesale dealer on behalf of the aquaculture license holder if they possess an Employee Transaction Card linked to at least one of the permit holder's DMF-issued Commercial Fisherman Permits with a shellfish endorsement.**

#### 10. Bulk Tagging for Culling and Overwintering

If a permit is endorsed for **off-site culling** or **off-site overwintering**, the permit holder may bulk tag individual lots of shellfish during transport to and from the aquaculture license site and the off-site location.

A single green waterproof tag may be used indicating the permit holders name, Shellfish Aquaculture Permit number, date of removal, and location of the licensed site (town and water body), number of containers in the lot with the following statement: *All shellfish containers in this lot have the same removal date and are from the same licensed site.*

Additionally, one of the following statements must be on the tag:

1. *Aquaculturally Reared* : To be culled or overwintered.
2. *Aquaculturally Reared* : Culled or overwintered, for return License Site.

The permit holder shall have a **bound logbook** with the same information on the green tag recorded in ink and the book shall be kept with the shellfish in the cargo area and not in the driving compartment of the motor vehicle.

**BULK TAGGING OF SHELLFISH IN TRANSPORT FOR COMMERCIAL PURPOSES IS PROHIBITED EXCEPT IN THE CASE OF GROWER-DEALERS IN POSSESSION OF A BULK TAGGING LETTER OF AUTHORIZATION ISSUED BY DMF.**

Grower-Dealer means the vertically integrated entity that holds a Commercial Fisherman Permit, Aquaculture Propagation Permit, and Wholesale Dealer Permit with DMF, and as a wholesale dealer purchases from themselves the shellfish grown under their Aquaculture Propagation Permit and harvested under their Commercial Fisherman Permit.

**It is unlawful for any person to possess or transport shellfish (shellstock) for commercial purposes that is not tagged, as required in 322 CMR 16.05**

#### Endorsement Conditions

##### *A. Grow-out*

The permit holder is authorized to grow the shellfish as endorsed at *A.* from sources approved by DMF.

##### *B. Intermediate Grow-out*

This permit may authorize the intermediate grow-out of seed in an upweller, downweller, FLUPSY or other device as endorsed at *B.* ***If these devices are in coastal waters they must be located on a licensed aquaculture site and authorized by this permit at B.*** Land-based upwellers and downwellers may be authorized without a site license if endorsed on this permit at *B.*

- Prior to transport and transplant of any seed from an intermediate grow-out site to a licensed aquaculture site, or other location, permission must be obtained from DMF through an amendment to this permit.

**DMF may also require shellfish disease testing before such permission is granted.**

##### *C. Off-Site Culling*

Permitted shellfish seed **and/or market sized shellfish** may be transported to an off-site location **away** from the permit holder's private shellfish aquaculture site as endorsed at *C.* for the purpose of culling subject to the following conditions. **Permit holders culling market-sized oysters during the *Vibrio parahaemolyticus* (*Vp*) control period must also adhere to *Vibrio* Management regulations in 322 CMR 16.07 (4).**

1. The permit holder informs the local Shellfish Constable that their permit is endorsed for off-site culling.
2. All shellfish in transport to and from the off-site culling location shall adhere to the **Bulk Tagging** provisions at **General Conditions no.10** of this permit or **each container may be individually tagged using the same record keeping requirements at the permit holder's discretion.**
3. This permit endorsement does not authorize the possession or transport of seed shellfish of any kind other than those listed on this permit.
4. All shellstock off-site culled must be returned to the aquaculture license site prior to final harvest and sale to a wholesale dealer.

##### *D. Seed Sales*

This permit may authorize the sale of seed shellfish as endorsed at *D.* subject to the following conditions:

1. Sale of seed shellfish shall be made only to persons holding a valid aquaculture or propagation permit from DMF or to persons holding a similar permit from other states or provinces.

2. Prior to the sale or transplant of any species of seed or adult shellfish from a licensed aquaculture site, upweller or other location, permission must be obtained from DMF through an amendment to this permit.

**DMF may also require shellfish disease testing before such permission is granted.**

#### ***E. Overwintering***

This permit may authorize the overwintering of seed and/or market-sized shellstock at locations other than the aquaculture site as endorsed at **E.** subject to the following conditions:

1. Overwintering shellstock off a licensed culture site is only authorized for the purpose of re-planting on the permit holder's aquaculture site(s) for additional grow-out.
2. Oysters, both seed and market-size, may be stored or overwintered out of water in pits, or cold storage units as endorsed at **E.**
3. In-water, off-site overwintering of oysters shall only be conducted at another licensed site as authorized at **E.**
4. **No direct marketing of shellfish is allowed from any type of land-based overwintering location.** All market-sized oysters overwintered out of water must be re-submerged (**re-conditioned**) for a **minimum of 14 days** prior to harvest for human consumption.
5. All shellfish in transport to and from the overwintering location shall adhere to the **Bulk Tagging** provisions at **General Conditions no. 10** of this permit or each container may be individually tagged using the same record keeping requirements, at the permit holder's discretion.

#### ***F. Spat Collection***

The permit holder may be authorized to conduct shellfish spat collection as endorsed at **F.** subject to the following conditions:

1. Off-site spat collection, if endorsed, shall commence on June 15<sup>th</sup> or later and cease on or before September 15<sup>th</sup>. No gear shall be placed in the water, prior to or remain in the water after the inclusive dates. This does not release the permit holder from obtaining local permission.
2. Off-site spat collection may only be conducted in the same body of water where the permit holder's license site is located or as determined by **DMF** and endorsed at **F.**
3. On-site spat collection shall be in accordance with the provisions of the *Aquaculture Guidelines of the Department of the Army, General Permit for the Commonwealth of Massachusetts.*

#### ***G. Sale of Undersized (Seed) Shellfish for Market Consumption***

**DMF** allows the sale of non-conforming sizes of "aquaculture reared" or "farm raised" quahogs, oysters and surf clams for market consumption subject to **DMF** regulations at 322 CMR: 6.08, 6.20 and 14.03, and the conditions of this permit:

1. Only **aquaculturally reared** oysters, quahogs and surf clams grown on and harvested from the permit holders licensed private aquaculture site may be sold under this size exemption authorization. **No naturally occurring shellfish from public beds below the wild minimum size defined at 322 CMR 6.08 and 6.20 shall be harvested and sold as aquaculture reared.**
2. All containers that hold aquaculture raised oysters, quahogs and surf clams that are smaller than the wild minimum size must have the words "AQUACULTURE REARED" or "FARM RAISED" on the shellfish tag.
3. Aquaculture reared quahogs that do not conform to the wild caught minimum size shall only be sold outside of the Commonwealth. Propagation permit holders shall only sell undersized quahogs to authorized wholesale dealers who are approved primary buyers by the Director pursuant to 322 CMR: 7.07: *Dealers Acting as Primary Buyers*, and 14.03: *Regulation of Aquaculture Products* and certified by the Department of Public Health for transport and sale of shellfish outside the Commonwealth.
4. All records concerning this activity shall be open to inspection by **DMF** at any time, and areas utilized for storage and packing of same shall be open to inspection by any officer authorized to enforce the shellfish rules and regulations of the Commonwealth.





CHARLES D. BAKER  
Governor

# The Commonwealth of Massachusetts

## Division of Marine Fisheries

251 Causeway Street, Suite 400, Boston, MA 02114  
p: (617) 626-1520 | f: (617) 626-1509  
[www.mass.gov/marinefisheries](http://www.mass.gov/marinefisheries)

KARYN E. POLITO  
Lt. Governor

KATHLEEN A. THEOHARIDES  
Secretary

RONALD S. AMIDON  
Commissioner



DANIEL J. MCKIERNAN  
Director

**Private Aquaculture/Propagation Permit No. 164798**

**Class 3      Type 1**

ISSUED: 1/13/2021      EXPIRES: 12/31/2021

FEE: \$10.00  
FTN: 261769  
CHECK #: 1005

TO WHOM IT MAY CONCERN:

Pursuant to Sections 17, 17A, 17B, 69, 75, 80 and 83 of Chapter 130 of the Massachusetts General Laws and 322 CMR 6.08; 6.10; 6.20; 7.01(4)(c) and 15:00, permission is hereby given, subject to the attached Shellfish Aquaculture Permit Conditions to:

**PATRICK A. ROSS  
MONKS COVE SEA FARM  
6 BENEDICT RD.  
BOURNE, MA 02532**

To possess naturally occurring seed shellfish, seed shellfish transplanted under previously issued permits and to transplant seed and/or adult shellfish from Division of Marine Fisheries approved sources at and to the permit holder's private shellfish aquaculture site, licensed under authority of Chapter 130, Section 57 of the Massachusetts General Laws; or at other locations authorized by endorsements made part of this permit. You must carry this permit while engaged in the activities this permit authorizes.

**LOCATION OF AQUACULTURE SITE(S): TOWN: BOURNE**

**DSGA: BB46      SITE(S) NUMBER: AQUA-1      WATERBODY: PHINNEY'S HARBOR**

**LOCATION: LITTLE BAY**

**DSGA: BB46      SITE(S) NUMBER: AQUA-1-EXT      WATERBODY: PHINNEY'S HARBOR**

**LOCATION: LITTLE BAY**

**DSGA: BB40      SITE(S) NUMBER: AQUA-1-EXT2      WATERBODY: BUZZARDS BAY**

**LOCATION: MASHNEE ISLAND**

### A. GROW-OUT AND SEED PURCHASES

SOURCE	SPECIES
MUSCONGUS	OYSTER
ISLAND CREEK SHELLFISH	SURF CLAM

SEE SPECIAL CONDITIONS

### B. INTERMEDIATE GROW-OUT

ON-SITE: YES      OFF-SITE: NO

TYPE: IN WATER

SPECIES: OYSTER

LOCATION: SITE #AQUA-1-EXT

### C. OFF-SITE CULLING

OFF-SITE CULLING ALLOWED: YES

LOCATION: 6 BENEDICT RD. BOURNE

(Pursuant to 322 CMR 15.08(5), off-site culling locations are subject to inspection.)

### D. SEED SALES

SEED SALES ALLOWED: NO

SPECIES:

**E. OFF-SITE OVERWINTERING**

OVERWINTERING ALLOWED: NO

METHOD:

LOCATION:

**F. SPAT COLLECTION**

SPAT COLLECTION ALLOWED: NO

LOCATION:

METHOD:

**G. INDIVIDUALS AUTHORIZED TO MOVE PRODUCT OFF LICENSE SITE FOR CULLING,  
OVERWINTERING & TRANSPORT TO WHOLESALE DEALER:**

- 1.
- 2.
- 3.

- 4.
- 5.
- 6.

**H. SPECIAL CONDITIONS:**

ALL SEED SOURCES LISTED ON THIS PERMIT MUST BE ADDED TO THE 2021 DIVISION OF MARINE FISHERIES APPROVED SOURCE LIST PRIOR TO YOU TAKING POSSESSION OF THE SEED. IF YOU WISH TO PURCHASE SEED FROM SOURCES NOT LISTED ON THIS PERMIT YOU MUST FIRST OBTAIN AUTHORIZATION FROM MARINE FISHERIES.

MOVEMENT OF SEED BETWEEN LICENSE SITES IN DIFFERENT GROWING AREAS REQUIRES PATHOLOGY AND DMF APPROVAL

Signature: \_\_\_\_\_

Approved by: \_\_\_\_\_

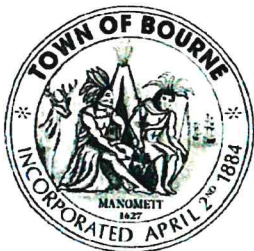
  
Daniel J. McKiernan  
Director

This document is your Division of Marine Fisheries permit and receipt. Your Permit is not valid until you sign the Signature line above. You must carry this permit while engaged in the activities this permit authorizes.

CC:

SHELLFISH CONSTABLE(S): BOURNE

DMF: J. KENNEDY, C. PETITPAS, T. SHIELDS



# TOWN OF BOURNE

LICENSE NUMBER: **Bourne 2-23**

Aquaculture license to plant, grow and take shellfish from the water of Bourne, as indicated on a plan on file in the offices of the Board of Selectmen and the Department of Natural Resources. This license is issued in accordance with Massachusetts General Laws, Chapter 130 Sec. 57 through 68, and the Town of Bourne Aquaculture Regulations.

Issued to: **Daniel Maurice, 2 Evergreen Hill Road, Monument Beach, MA 02553, James Rossignol 21 Dollins Road, Pocasset, MA 02559**, subject to such regulations and restrictions as may be established by the Board of Selectmen and federal and state regulatory agencies. This license does not grant any property rights. Any use of this license for other than digging and taking of shellfish upon privately owned property may not proceed over the objection of the property owner. Pursuant to General Laws Chapter 130, Section 57, the license may not impair the private rights of any person. This license does not authorize any injury to private property or invasion of private rights. The issuance of this license is not a determination of title or ownership. The licensee acknowledges, it is the responsibility of the licensee to obtain permission, if required, from a private property owner before exercising the rights conferred by this license other than for digging and taking of shellfish. The license holder is on notice that owners of the property described above may bring an action for trespass in a court of competent jurisdiction. A license holder may not rely on this license as a defense to an action in trespass.

Any shellfish licensed area bounded by a navigational channel, as defined by the Harbor Master, that has migrated by natural or man-made causes into or through a permitted shellfish licensed area and has eroded a portion of the permitted land within the licensed area to a navigational depth of at least three (3) feet at mean low water, said channel shall become the natural boundary of the licensed area and supersede any previous agreed boundaries of the licensed area. The license holder shall sacrifice any and all rights of his/her licensed area within this defined navigational channel. Said licensed area in the waters of Bourne is bounded by the following coordinates: See reverse for locations.

LICENSE ISSUED: **January 25, 2022**

LICENSE EXPIRES: **December 31, 2023**

\_\_\_\_\_  
Peter J. Meier, Chair

\_\_\_\_\_  
Judith MacLeod-Froman, Vice Chair

\_\_\_\_\_  
George G. Slade, Clerk

\_\_\_\_\_  
Jared P. MacDonald

\_\_\_\_\_  
Mary Jane Mastrangelo





TOWN OF BOURNE  
Department of Natural Resources

24 Perry Avenue - Room 102  
Buzzards Bay, MA 02532-3441

<http://www.townofbourne.com>



Shellfish Constable, Marinas, Herring Agent, Harbor Master, Fish & Game Enforcement, Conservation Enforcement & More

OFFICE: (508) 759-0621  
POLICE: (508) 759-4451  
MARINAS: (508) 759-3105  
FAX: (508) 759-8026

AQUACULTURE/SHELLFISH GRANT PERMIT APPLICATION

Requirements are specified in the accompanying Aquaculture/Grant Regulations; If all requirements are met, complete this Application and submit with the appropriate payment (Payable to "Town of Bourne") to the Department, along with a copy of your Drivers License or State ID Card, and any supporting documentation specified in the Regulations, requested by the Department or indicated below, or that you feel may assist us in making a determination to approve your Application. The burden of any proof regarding eligibility and requirements rests solely with the Applicant. \* Complete all information and print clearly \*

NEW: \_\_\_\_\_ RENEWAL: X

PROPOSED LOCATION OF GRANT: Describe below the specific measurements in feet of the desired area using land boundaries when possible. Attach a sketch or locus map indicating the boundaries and total square feet.

PRIMARY SITE REQUESTED: SEE APPROVED GRANT AREA "AQUA 2"

ALTERNATE SITE REQUESTED: \_\_\_\_\_

NAME (FULL): DANIEL G. MAURICE

DATE OF BIRTH: \_\_\_\_\_

PLACE OF BIRTH: New Haven, CT

LEGAL ADDRESS: 2 EVERGREEN HILL RD MONUMENT BEACH, MA 02553

HOME PHONE: \_\_\_\_\_

CELL PHONE: \_\_\_\_\_

EMAIL ADDRESS: \_\_\_\_\_

TIME AT ABOVE ADDRESS: 21 YRS

IF LESS THAN 1 YEAR, PREVIOUS ADDRESS: \_\_\_\_\_

\*ATTACH EVIDENCE OF RESIDENCY

MAILING ADDRESS (If Different): P.O. Box 207 MONUMENT BEACH, MA 02553

CURRENT/PREVIOUS TOWN PERMITS & DATES: AQUA 2

RECREATION QUATERS (RESIDENTIAL)

OTHER/PREVIOUS TOWNS & DATES PERMITTED IN: \_\_\_\_\_

LIST ANY DENIALS/VIOLATIONS IN ANY TOWN: N/A

\*ATTACH MA COMMERCIAL PERMIT - PERMIT #: 171119 YEARS HELD: 6

PRIMARY OCCUPATION: SR. DIRECTOR OF PRODUCT DEVELOPMENT

EMPLOYER/ADDRESS/PHONE: (770) 935-4400 2225 NORTHWEST PARKWAY, MARBETTA GA 30067

\*ATTACH PRIMARILY USED VEHICLE REGISTRATION - REG #: \_\_\_\_\_

VEHICLE MAKE: Chevy VEHICLE MODEL: SILVERADO VEHICLE COLOR: GRAPHITE

\* ATTACH BOAT REGISTRATION - MS/DOC #: MS 7677 BP

BOAT LENGTH: 24 BOAT COLOR: WHITE BOAT TYPE: CAROLINA SKIFF

- ANY CHANGES IN THIS INFORMATION MUST BE REPORTED TO THE D.N.R. IMMEDIATELY!

I, the undersigned and as named on Page 1, affirm that the information on Pages 1 & 2 of this Application is true, complete and correct and affix my signature hereto under the pains and penalties of perjury. By signing below, I agree to abide by the Shellfish Regulations and any other applicable rules and regulations of the Town of Bourne, as well as all applicable laws, rules and regulations of the Commonwealth of Massachusetts. I understand that perjury, misleading statements, or failure to abide by any laws, rules and regulations may result in permit denial, suspension, or revocation; without compensation or reimbursement, if suspended or revoked.

SIGNED: \_\_\_\_\_

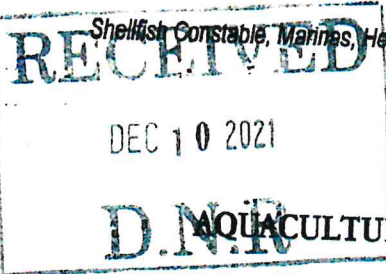
EMPLOYEE: \_\_\_\_\_





**TOWN OF BOURNE**  
**Department of Natural Resources**

24 Perry Avenue - Room 102  
Buzzards Bay, MA 02532-3441  
<http://www.townofbourne.com>



Shellfish Constable, Marinas, Herring Agent, Harbor Master, Fish & Game Enforcement, Conservation Enforcement & More

OFFICE: (508) 759-0621  
POLICE: (508) 759-4451  
MARINAS: (508) 759-3105  
FAX: (508) 759-8026

**AQUACULTURE/SHELLFISH GRANT PERMIT APPLICATION**

Requirements are specified in the accompanying Aquaculture/Grant Regulations; If all requirements are met, complete this Application and submit with the appropriate payment (Payable to "Town of Bourne") to the Department, along with a copy of your Drivers License or State ID Card, and any supporting documentation specified in the Regulations, requested by the Department or indicated below, or that you feel may assist us in making a determination to approve your Application. The burden of any proof regarding eligibility and requirements rests solely with the Applicant. \* Complete all information and print clearly \*

NEW: \_\_\_\_\_ RENEWAL: X

PROPOSED LOCATION OF GRANT: Describe below the specific measurements in feet of the desired area using land boundaries when possible. Attach a sketch or locus map indicating the boundaries and total square feet.

PRIMARY SITE REQUESTED: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ALTERNATE SITE REQUESTED: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NAME (FULL): James Rossignol

DATE OF BIRTH: \_\_\_\_\_ PLACE OF BIRTH: OTIS AFB, Bourne

LEGAL ADDRESS: 21 Dellin's Rd. Pocasset Ma 02559

HOME PHONE: \_\_\_\_\_ CELL PHONE: \_\_\_\_\_

EMAIL ADDRESS: \_\_\_\_\_

TIME AT ABOVE ADDRESS: 6 years

IF LESS THAN 1 YEAR, PREVIOUS ADDRESS: \_\_\_\_\_

\*ATTACH EVIDENCE OF RESIDENCY

MAILING ADDRESS (If Different): \_\_\_\_\_

CURRENT/PREVIOUS TOWN PERMITS & DATES: \_\_\_\_\_

OTHER/PREVIOUS TOWNS & DATES PERMITTED IN: \_\_\_\_\_

LIST ANY DENIALS/VIOLATIONS IN ANY TOWN: None

\*ATTACH MA COMMERCIAL PERMIT - PERMIT #: 117646 YEARS HELD: 32

PRIMARY OCCUPATION: Marine Biologist

EMPLOYER/ADDRESS/PHONE: DMP 1213 Purchase St New Bedford Ma 01974 508-990-2860

\*ATTACH PRIMARILY USED VEHICLE REGISTRATION - REG #: 79P T35

VEHICLE MAKE: Ford VEHICLE MODEL: F-350 VEHICLE COLOR: Red

\*ATTACH BOAT REGISTRATION - MS/DOC #: MS 2014 JR

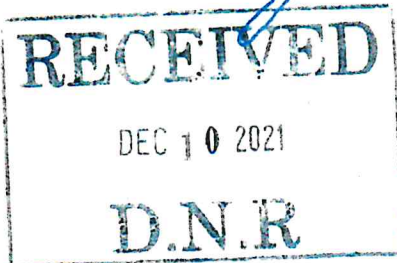
BOAT LENGTH: 20 BOAT COLOR: white BOAT TYPE: open

- ANY CHANGES IN THIS INFORMATION MUST BE REPORTED TO THE D.N.R. IMMEDIATELY!

I, the undersigned and as named on Page 1, affirm that the information on Pages 1 & 2 of this Application is true, complete and correct and affix my signature hereto under the pains and penalties of perjury. By signing below, I agree to abide by the Shellfish Regulations and any other applicable rules and regulations of the Town of Bourne, as well as all applicable laws, rules and regulations of the Commonwealth of Massachusetts. I understand that perjury, misleading statements, or failure to abide by any laws, rules and regulations may result in permit denial, suspension, or revocation; without compensation or reimbursement, if suspended or revoked.

SIGNED: \_\_\_\_\_

EMPLOYEE: \_\_\_\_\_



West Side Toby's Island/Aqua 2, Aqua-2-Ext

1. 41°42' 17.16"N, 70°37' 32.70"W 2. 41°42' 1.33"N, 70°37' 31.33"W 3. 41°42' 14.63"N, 70°37' 30.72"W 4. 41°42' 14.30"N, 70° 37' 32.06"W  
1. 41°42' 14.30"N, 70°37' 32.06"W 2. 41°42' 14.63"N, 70°37' 30.72"W 3. 41°42' 12.19"N, 70°37' 29.41"W 4. 41°42' 11.34"N, 70° 37' 31.50"W

Little Bay/Mud Cove/Aqua 2 Nursery

1. 41°42'17.80"N, 70°37'02.76"W 2. 41°42'18.34"N, 70°37'01.04"W 3. 41°42'17.76"N, 70°37'00.59"W 4. 41°42'16.61"N, 70°37'01.69"W  
5. 41°42'14.89"N, 70°37'01.42"W 6. 41°42'14.85"N, 70°37'03.60"W 7. 41°42'16.11"N, 70°37'02.79"W

Little Bay/Ram Cove Barge Location

1. 41°42' 21.40"N, 70°37'04.39"W 2. 41°42' 21.51"N, 70°37'03.58"W 3. 41°42' 21.51"N, 70°37'03.60"W 4. 41°42'20.56"N, 70°37'04.53"W

Bassets Island Location

41°41'01.01"N, 70°37'55.05"W	41°41'01.00"N, 70°37'53.80"W	41°40'57.65"N, 70°37'55.70"W	41°40'57.50"N, 70°37'54.00"W
41°40'54.01"N, 70°37'56.58"W	41°40'53.20"N, 70°37'55.00"W		





CHARLES D. BAKER  
Governor

KARYN E. POLITO  
Lt. Governor

KATHLEEN A. THEOHARIDES  
Secretary

RONALD S. AMIDON  
Commissioner

DANIEL J. MCKIERNAN  
Director

# The Commonwealth of Massachusetts Division of Marine Fisheries

251 Causeway Street, Suite 400, Boston, MA 02114  
p: (617) 626-1520 | f: (617) 626-1509

[www.mass.gov/marinefisheries](http://www.mass.gov/marinefisheries)



JAMES J. ROSSIGNOL  
21 DOLLINS RD.  
POCASSET, MA 02559

173547

## **SHELLFISH AQUACULTURE/PROPAGATION PERMIT CONDITIONS** Effective January 1, 2021 - December 31, 2021

### **General Conditions**

1. All activities conducted under authority of this permit shall be completed in accordance with the provisions of **322 CMR** (Code of Massachusetts Regulations): **6.00: Regulation of Catches; 12.00: Protected Species; 15.00: Management of Marine Aquaculture; 16.00: Shellfish Sanitation, Harvest, Handling and Management**; all pertinent sections of **Chapter 130, Massachusetts General Laws (MGL)**, and all other Division of Marine Fisheries (DMF) regulations and statutes pertaining to shellfish and shellfisheries, unless exempted by this permit. **No seed or adult shellfish may be introduced, transplanted or planted into coastal waters unless listed on this permit.**
2. Any violations of the conditions of this permit may result in fines, suspensions, revocation, or prosecution under pertinent sections of Chapter 130, MGL and 322 CMR.
3. All activities conducted under authority of this permit are subject to inspection at any reasonable time by **DMF employees, Office of Law Enforcement** environmental police officers and local Shellfish Constables (Chapter 130, section 98, MGL).
4. An annual report must be filed with **DMF** and your municipal shellfish authority (city council or select board) indicating the type, amount and source of shellfish planted, produced and/or marketed during the preceding year, including a list of all seed sales, not later than February 28, 2022 (Chapter 130, section 65, MGL).
5. All shellfish obtained for transport and propagation must be of a species and from a source approved by **DMF** and listed on this permit. **No naturally occurring shellfish from public beds may be stored on an aquaculture license site.**
6. The sale of shellfish for consumption must comply with the provisions of Chapter 130, sections 2, 80, 81, 82, and 83, MGL; 322 CMR, 6.00, 7.00 and 16.00, and 105 CMR 500.000 (**Good Manufacturing Practices for Food-Department of Public Health**) and provisions of this aquaculture permit.
7. This permit is valid until midnight December 31, 2021 for the possession of seed shellfish on the licensed aquaculture Site, and other locations authorized on this permit, unless sooner revoked for cause.
8. In the event of shellfish closures to protect public health under authority of Chapter 130, section 74A, MGL, such as those resulting from unusual rainfall, red tide or oil spills, no activity other than emergency maintenance of gear and shellfish shall be conducted unless prior permission is obtained from **DMF** or the local shellfish constable who must notify **DMF**.
9. All permit holders are required to maintain a list of individuals authorized to work on the permit holder's licensed aquaculture site. Permit holders are required to update the list regularly and to provide a copy of the most recent list of authorized individuals to their local Shellfish Constable. Non-permitted individuals authorized by the permit holder to work on an aquaculture site are not allowed to transport seed or market-size shellfish for culling and/or overwintering unless they are named on this permit and possess a copy of this permit. **Employees or other authorized individuals may sell shellfish to a wholesale dealer on behalf of the aquaculture license holder if they possess an Employee Transaction Card linked to at least one of the permit holder's DMF-issued Commercial Fisherman Permits with a shellfish endorsement.**

#### 10. Bulk Tagging for Culling and Overwintering

If a permit is endorsed for off-site culling or off-site overwintering, the permit holder may bulk tag individual lots of shellfish during transport to and from the aquaculture license site and the off-site location.

A single green waterproof tag may be used indicating the permit holders name, Shellfish Aquaculture Permit number, date of removal, and location of the licensed site (town and water body), number of containers in the lot with the following statement: *All shellfish containers in this lot have the same removal date and are from the same licensed site.*

Additionally, one of the following statements must be on the tag:

1. *Aquaculturally Reared* : To be culled or overwintered.
2. *Aquaculturally Reared* : Culled or overwintered, for return License Site.

The permit holder shall have a bound logbook with the same information on the green tag recorded in ink and the book shall be kept with the shellfish in the cargo area and not in the driving compartment of the motor vehicle.

**BULK TAGGING OF SHELLFISH IN TRANSPORT FOR COMMERCIAL PURPOSES IS PROHIBITED EXCEPT IN THE CASE OF GROWER-DEALERS IN POSSESSION OF A BULK TAGGING LETTER OF AUTHORIZATION ISSUED BY DMF.**

Grower-Dealer means the vertically integrated entity that holds a Commercial Fisherman Permit, Aquaculture Propagation Permit, and Wholesale Dealer Permit with DMF, and as a wholesale dealer purchases from themselves the shellfish grown under their Aquaculture Propagation Permit and harvested under their Commercial Fisherman Permit.

**It is unlawful for any person to possess or transport shellfish (shellstock) for commercial purposes that is not tagged, as required in 322 CMR 16.05**

#### Endorsement Conditions

##### A. Grow-out

The permit holder is authorized to grow the shellfish as endorsed at A. from sources approved by DMF.

##### B. Intermediate Grow-out

This permit may authorize the intermediate grow-out of seed in an upweller, downweller, FLUPSY or other device as endorsed at B. *If these devices are in coastal waters they must be located on a licensed aquaculture site and authorized by this permit at B.* Land-based upwellers and downwellers may be authorized without a site license if endorsed on this permit at B.

- Prior to transport and transplant of any seed from an intermediate grow-out site to a licensed aquaculture site, or other location, permission must be obtained from DMF through an amendment to this permit.

DMF may also require shellfish disease testing before such permission is granted.

##### C. Off-Site Culling

Permitted shellfish seed and/or market sized shellfish may be transported to an off-site location away from the permit holder's private shellfish aquaculture site as endorsed at C. for the purpose of culling subject to the following conditions. Permit holders culling market-sized oysters during the *Vibrio parahaemolyticus* (Vp) control period must also adhere to *Vibrio* Management regulations in 322 CMR 16.07 (4).

1. The permit holder informs the local Shellfish Constable that their permit is endorsed for off-site culling.
2. All shellfish in transport to and from the off-site culling location shall adhere to the Bulk Tagging provisions at General Conditions no.10 of this permit or each container may be individually tagged using the same record keeping requirements at the permit holder's discretion.
3. This permit endorsement does not authorize the possession or transport of seed shellfish of any kind other than those listed on this permit.
4. All shellstock off-site culled must be returned to the aquaculture license site prior to final harvest and sale to a wholesale dealer.

##### D. Seed Sales

This permit may authorize the sale of seed shellfish as endorsed at D. subject to the following conditions:

1. Sale of seed shellfish shall be made only to persons holding a valid aquaculture or propagation permit from DMF or to persons holding a similar permit from other states or provinces.



2. Prior to the sale or transplant of any species of seed or adult shellfish from a licensed aquaculture site, upweller or other location, permission must be obtained from DMF through an amendment to this permit.

DMF may also require shellfish disease testing before such permission is granted.

#### ***E. Overwintering***

This permit may authorize the overwintering of seed and/or market-sized shellstock at locations other than the aquaculture site as endorsed at *E.* subject to the following conditions:

1. Overwintering shellstock off a licensed culture site is only authorized for the purpose of re-planting on the permit holder's aquaculture site(s) for additional grow-out.
2. Oysters, both seed and market-size, may be stored or overwintered out of water in pits, or cold storage units as endorsed at *E.*
3. In-water, off-site overwintering of oysters shall only be conducted at another licensed site as authorized at *E.*
4. **No direct marketing of shellfish is allowed from any type of land-based overwintering location.** All market-sized oysters overwintered out of water must be re-submerged (re-conditioned) for a minimum of 14 days prior to harvest for human consumption.
5. All shellfish in transport to and from the overwintering location shall adhere to the **Bulk Tagging** provisions at **General Conditions no. 10** of this permit or each container may be individually tagged using the same record keeping requirements, at the permit holder's discretion.

#### ***F. Spat Collection***

The permit holder may be authorized to conduct shellfish spat collection as endorsed at *F.* subject to the following conditions:

1. Off-site spat collection, if endorsed, shall commence on June 15<sup>th</sup> or later and cease on or before September 15<sup>th</sup>. No gear shall be placed in the water, prior to or remain in the water after the inclusive dates. This does not release the permit holder from obtaining local permission.
2. Off-site spat collection may only be conducted in the same body of water where the permit holder's license site is located or as determined by DMF and endorsed at *F.*
3. On-site spat collection shall be in accordance with the provisions of the *Aquaculture Guidelines of the Department of the Army, General Permit for the Commonwealth of Massachusetts.*

#### ***G. Sale of Undersized (Seed) Shellfish for Market Consumption***

DMF allows the sale of non-conforming sizes of "aquaculture reared" or "farm raised" quahogs, oysters and surf clams for market consumption subject to DMF regulations at 322 CMR: 6.08, 6.20 and 14.03, and the conditions of this permit:

1. Only aquaculturally reared oysters, quahogs and surf clams grown on and harvested from the permit holders licensed private aquaculture site may be sold under this size exemption authorization. **No naturally occurring shellfish from public beds below the wild minimum size defined at 322 CMR 6.08 and 6.20 shall be harvested and sold as aquaculture reared.**
2. All containers that hold aquaculture raised oysters, quahogs and surf clams that are smaller than the wild minimum size must have the words "AQUACULTURE REARED" or "FARM RAISED" on the shellfish tag.
3. Aquaculture reared quahogs that do not conform to the wild caught minimum size shall only be sold outside of the Commonwealth. Propagation permit holders shall only sell undersized quahogs to authorized wholesale dealers who are approved primary buyers by the Director pursuant to 322 CMR: 7. 07: *Dealers Acting as Primary Buyers*, and 14.03: *Regulation of Aquaculture Products* and certified by the Department of Public Health for transport and sale of shellfish outside the Commonwealth.
4. All records concerning this activity shall be open to inspection by DMF at any time, and areas utilized for storage and packing of same shall be open to inspection by any officer authorized to enforce the shellfish rules and regulations of the Commonwealth.



CHARLES D. BAKER  
Governor

# The Commonwealth of Massachusetts Division of Marine Fisheries

251 Causeway Street, Suite 400, Boston, MA 02114

p: (617) 626-1520 | f: (617) 626-1509

[www.mass.gov/marinefisheries](http://www.mass.gov/marinefisheries)

KARYN E. POLITO  
Lt. Governor

KATHLEEN A. THEOHARIDES  
Secretary

RONALD S. AMIDON  
Commissioner



DANIEL J. MCKIERNAN  
Director

**Private Aquaculture/Propagation Permit No. 171274**

**Class 3**

**Type 1**

ISSUED: 1/13/2021

EXPIRES: 12/31/2021

FEE: \$10.00  
FTN: 261768  
CHECK #: 1697

TO WHOM IT MAY CONCERN:

Pursuant to Sections 17, 17A, 17B, 69, 75, 80 and 83 of Chapter 130 of the Massachusetts General Laws and 322 CMR 6.08; 6.10; 6.20; 7.01(4)(c) and 15:00, permission is hereby given, subject to the attached Shellfish Aquaculture Permit Conditions to:

**DAN G. MAURICE  
P.O. BOX 207  
MONUMENT BEACH, MA 02553**

To possess naturally occurring seed shellfish, seed shellfish transplanted under previously issued permits and to transplant seed and/or adult shellfish from Division of Marine Fisheries approved sources at and to the permit holder's private shellfish aquaculture site, licensed under authority of Chapter 130, Section 57 of the Massachusetts General Laws; or at other locations authorized by endorsements made part of this permit. You must carry this permit while engaged in the activities this permit authorizes.

## LOCATION OF AQUACULTURE SITE(S); TOWN: BOURNE

DSGA: BB46 SITE(S) NUMBER: AQUA-2 WATERBODY: PHINNEY'S HARBOR  
LOCATION: SOUTH OF TOBY'S ISLAND  
DSGA: BB46 SITE(S) NUMBER: AQUA-2-EXT WATERBODY: PHINNEY'S HARBOR  
LOCATION: WEST OF TOBY'S ISLAND  
DSGA: BB46 SITE(S) NUMBER: AQUA-2-NURSERY WATERBODY: PHINNEY'S HARBOR  
LOCATION: RAM ISLAND COVE  
DSGA: BB49 SITE(S) NUMBER: AQUA-2-EXT-2 WATERBODY: RED BROOK HARBOR  
LOCATION: BASSETS ISLAND EAST

### A. GROW-OUT AND SEED PURCHASES

SOURCE	SPECIES
MUSCONGUS	OYSTER
MUSCONGUS	QUAHOG

SEE SPECIAL CONDITIONS

### B. INTERMEDIATE GROW-OUT

ON-SITE: YES OFF-SITE: NO

TYPE: IN WATER

SPECIES: OYSTER

LOCATION: BB46 RAM ISLAND COVE, AQUA-2-NURSERY

### C. OFF-SITE CULLING

OFF-SITE CULLING ALLOWED: YES

LOCATION: 2 EVERGREEN HILL RD.  
MONUMENT BEACH

(Pursuant to 322 CMR 15.08(5), off-site culling locations are subject to inspection.)

### D. SEED SALES

SEED SALES ALLOWED: NO

SPECIES:



**E. OFF-SITE OVERWINTERING**

OVERWINTERING ALLOWED: NO

METHOD:

LOCATION:

**F. SPAT COLLECTION**

SPAT COLLECTION ALLOWED: NO

LOCATION:

METHOD:

**G. INDIVIDUALS AUTHORIZED TO MOVE PRODUCT OFF LICENSE SITE FOR CULLING,  
OVERWINTERING & TRANSPORT TO WHOLESALE DEALER:**1.  
2.  
3.4.  
5.  
6.**H. SPECIAL CONDITIONS:**

ALL SEED SOURCES LISTED ON THIS PERMIT MUST BE ADDED TO THE 2021 DIVISION OF MARINE FISHERIES APPROVED SOURCE LIST PRIOR TO YOU TAKING POSSESSION OF THE SEED. IF YOU WISH TO PURCHASE SEED FROM SOURCES NOT LISTED ON THIS PERMIT YOU MUST FIRST OBTAIN AUTHORIZATION FROM DMF.

SITE AQUA-2-NURSERY IS LOCATED IN CONDITIONALLY APPROVED WATERS. WHEN AREA IS IN CLOSED STATUS, NO SHELLFISH >25MM IN SHELL LENGTH MAY BE REMOVED FROM THE SITE.

Signature: \_\_\_\_\_

Approved by: \_\_\_\_\_

*Daniel J. McKiernan*  
Daniel J. McKiernan  
Director

This document is your Division of Marine Fisheries permit and receipt. Your Permit is not valid until you sign the Signature line above. You must carry this permit while engaged in the activities this permit authorizes.

CC:

SHELLFISH CONSTABLE(S): BOURNE  
DMF: J. KENNEDY, C. PETITPAS, T. SHIELDS



CHARLES D. BAKER  
Governor

# The Commonwealth of Massachusetts Division of Marine Fisheries

251 Causeway Street, Suite 400, Boston, MA 02114  
p: (617) 626-1520 | f: (617) 626-1509

[www.mass.gov/marinefisheries](http://www.mass.gov/marinefisheries)

KARYN E. POLITO  
Lt. Governor

KATHLEEN A. THEOHARIDES  
Secretary

RONALD S. AMIDON  
Commissioner



DANIEL J. MCKIERNAN  
Director

**Private Aquaculture/Propagation Permit No. 173547**

**Class 3**

**Type 1**

ISSUED: 1/13/2021

EXPIRES: 12/31/2021

FEE: \$10.00  
FTN: 261762  
CHECK #: 9002

TO WHOM IT MAY CONCERN:

Pursuant to Sections 17, 17A, 17B, 69, 75, 80 and 83 of Chapter 130 of the Massachusetts General Laws and 322 CMR 6.08; 6.10; 6.20; 7.01(4)(c) and 15:00, permission is hereby given, subject to the attached Shellfish Aquaculture Permit Conditions to:

**JAMES J. ROSSIGNOL  
21 DOLLINS RD.  
POCASSET, MA 02559**

To possess naturally occurring seed shellfish, seed shellfish transplanted under previously issued permits and to transplant seed and/or adult shellfish from Division of Marine Fisheries approved sources at and to the permit holder's private shellfish aquaculture site, licensed under authority of Chapter 130, Section 57 of the Massachusetts General Laws; or at other locations authorized by endorsements made part of this permit. You must carry this permit while engaged in the activities this permit authorizes.

## LOCATION OF AQUACULTURE SITE(S): TOWN: BOURNE

DSGA: BB46 SITE(S) NUMBER: AQUA-2 WATERBODY: PHINNEY'S HARBOR

LOCATION: SOUTH OF TOBY'S ISLAND

DSGA: BB46 SITE(S) NUMBER: AQUA-2-EXT WATERBODY: PHINNEY'S HARBOR

LOCATION: WEST OF TOBY'S ISLAND

DSGA: BB46 SITE(S) NUMBER: AQUA-2-NURSERY WATERBODY: PHINNEY'S HARBOR

LOCATION: RAM ISLAND COVE

DSGA: BB49 SITE(S) NUMBER: AQUA-2-EXT-2 WATERBODY: RED BROOK HARBOR

LOCATION: BASSETS ISLAND EAST

### A. GROW-OUT AND SEED PURCHASES

SOURCE	SPECIES
MUSCONGUS	OYSTER
MUSCONGUS	QUAHOG

SEE SPECIAL CONDITIONS

### B. INTERMEDIATE GROW-OUT

ON-SITE: YES OFF-SITE: NO

TYPE: IN WATER

SPECIES: OYSTER

LOCATION: BB46 RAM ISLAND COVE, AQUA-2-NURSERY

### C. OFF-SITE CULLING

OFF-SITE CULLING ALLOWED: YES

LOCATION: TOWN MOORING #23R, 21 DOLLINS RD., POCASSET

(Pursuant to 322 CMR 15.08(5), off-site culling locations are subject to inspection.)

### D. SEED SALES

SEED SALES ALLOWED: NO

SPECIES:

**E. OFF-SITE OVERWINTERING**

OVERWINTERING ALLOWED: NO

METHOD:

LOCATION:

**F. SPAT COLLECTION**

SPAT COLLECTION ALLOWED: NO

LOCATION:

METHOD:

**G. INDIVIDUALS AUTHORIZED TO MOVE PRODUCT OFF LICENSE SITE FOR CULLING,  
OVERWINTERING & TRANSPORT TO WHOLESALE DEALER:**

- 1.
- 2.
- 3.

- 4.
- 5.
- 6.

**H. SPECIAL CONDITIONS:**

ALL SEED SOURCES LISTED ON THIS PERMIT MUST BE ADDED TO THE 2021 DIVISION OF MARINE FISHERIES APPROVED SOURCE LIST PRIOR TO YOU TAKING POSSESSION OF THE SEED. IF YOU WISH TO PURCHASE SEED FROM SOURCES NOT LISTED ON THIS PERMIT YOU MUST FIRST OBTAIN AUTHORIZATION FROM DMF.

SITE AQUA-2-NURSERY IS LOCATED IN CONDITIONALLY APPROVED WATERS. WHEN AREA IS IN CLOSED STATUS, NO SHELLFISH >25MM IN SHELL LENGTH MAY BE REMOVED FROM THE SITE.

Signature: \_\_\_\_\_

Approved by: \_\_\_\_\_

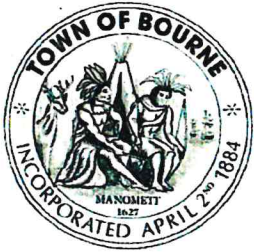
*Daniel J. McKiernan*  
Daniel J. McKiernan  
Director

This document is your Division of Marine Fisheries permit and receipt. Your Permit is not valid until you sign the Signature line above. You must carry this permit while engaged in the activities this permit authorizes.

CC:

SHELLFISH CONSTABLE(S): BOURNE  
DMF: J. KENNEDY, C. PETITPAS, T. SHIELDS





# TOWN OF BOURNE

LICENSE NUMBER: **Bourne 4-23**

Aquaculture license to plant, grow and take shellfish from the water of Bourne, as indicated on a plan on file in the offices of the Board of Selectmen and the Department of Natural Resources. This license is issued in accordance with Massachusetts General Laws, Chapter 130 Sec. 57 through 68, and the Town of Bourne Aquaculture Regulations.

Issued to: **Bruce H. Silverbrand, 18 Bayberry Road, Bourne, MA 02532**, subject to such regulations and restrictions as may be established by the Board of Selectmen and federal and state regulatory agencies. This license does not grant any property rights. Any use of this license for other than digging and taking of shellfish upon privately owned property may not proceed over the objection of the property owner. Pursuant to General Laws Chapter 130, Section 57, the license may not impair the private rights of any person. This license does not authorize any injury to private property or invasion of private rights. The issuance of this license is not a determination of title or ownership. The licensee acknowledges, it is the responsibility of the licensee to obtain permission, if required, from a private property owner before exercising the rights conferred by this license other than for digging and taking of shellfish. The license holder is on notice that owners of the property described above may bring an action for trespass in a court of competent jurisdiction. A license holder may not rely on this license as a defense to an action in trespass.

Any shellfish licensed area bounded by a navigational channel, as defined by the Harbor Master, that has migrated by natural or man-made causes into or through a permitted shellfish licensed area and has eroded a portion of the permitted land within the licensed area to a navigational depth of at least three (3) feet at mean low water, said channel shall become the natural boundary of the licensed area and supersede any previous agreed boundaries of the licensed area. The license holder shall sacrifice any and all rights of his/her licensed area within this defined navigational channel. Said licensed area in the waters of Bourne is bounded by the following coordinates:

1. 41°45'26.85"N, 70°37'36.62"W    2. 41°45'28.19"N, 70°37'32.81"W    3. 41°45'23.94"N, 70°37'30.18"W    4. 41°45'22.61"N, 70°37'34.02"W

LICENSE ISSUED: **January 25, 2022**

LICENSE EXPIRES: **December 31, 2023**

\_\_\_\_\_  
Peter J. Meier, Chair

\_\_\_\_\_  
Judith MacLeod-Froman, Vice Chair

\_\_\_\_\_  
George G. Slade, Jr., Clerk

\_\_\_\_\_  
Jared P. MacDonald

\_\_\_\_\_  
Mary Jane Mastrangelo



TOWN OF BOURNE  
Department of Natural Resources

24 Perry Avenue - Room 102  
Buzzards Bay, MA 02532-3441  
<http://www.townofbourne.com>



RECEIVED

DEC 17 2021

D.N.R.

Shellfish Constable, Marinas, Herring Agent, Harbor Master, Fish & Game Enforcement, Conservation Enforcement & More

OFFICE: (508) 759-0621  
POLICE: (508) 759-4451  
MARINAS: (508) 759-3105  
FAX: (508) 759-8026

AQUACULTURE/SHELLFISH GRANT PERMIT APPLICATION

Requirements are specified in the accompanying Aquaculture/Grant Regulations; If all requirements are met, complete this Application and submit with the appropriate payment (Payable to "Town of Bourne") to the Department, along with a copy of your Drivers License or State ID Card, and any supporting documentation specified in the Regulations, requested by the Department or indicated below, or that you feel may assist us in making a determination to approve your Application. The burden of any proof regarding eligibility and requirements rests solely with the Applicant. \* Complete all information and print clearly \*

NEW: \_\_\_\_\_ RENEWAL: X

PROPOSED LOCATION OF GRANT: Describe below the specific measurements in feet of the desired area using land boundaries when possible. Attach a sketch or locus map indicating the boundaries and total square feet.

PRIMARY SITE REQUESTED: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ALTERNATE SITE REQUESTED: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NAME (FULL): Brian H Silverbrad

DATE OF BIRTH: [REDACTED] PLACE OF BIRTH: Worcester ma

LEGAL ADDRESS: 13 Bayberry rd Bourne ma

HOME PHONE: \_\_\_\_\_ CELL PHONE: [REDACTED]

EMAIL ADDRESS: [REDACTED]

TIME AT ABOVE ADDRESS: 24 yrs

IF LESS THAN 1 YEAR, PREVIOUS ADDRESS: \_\_\_\_\_

\*ATTACH EVIDENCE OF RESIDENCY

MAILING ADDRESS (If Different): \_\_\_\_\_

CURRENT/PREVIOUS TOWN PERMITS & DATES: \_\_\_\_\_



OTHER/PREVIOUS TOWNS & DATES PERMITTED IN: \_\_\_\_\_

LIST ANY DENIALS/VIOLATIONS IN ANY TOWN: \_\_\_\_\_

\*ATTACH MA COMMERCIAL PERMIT - PERMIT #: 116974 YEARS HELD: 32 yrs

PRIMARY OCCUPATION: OYSTER FARMER

EMPLOYER/ADDRESS/PHONE: SELF

\*ATTACH PRIMARILY USED VEHICLE REGISTRATION - REG #: 1 KNS 77

VEHICLE MAKE: Ford VEHICLE MODEL: F350 VEHICLE COLOR: Black

\*ATTACH BOAT REGISTRATION - MS/DIC #: MS 0585 BXE

BOAT LENGTH: 19' BOAT COLOR: White BOAT TYPE: JASON  
MS 0585

- ANY CHANGES IN THIS INFORMATION MUST BE REPORTED TO THE D.N.R. IMMEDIATELY!

I, the undersigned and as named on Page 1, affirm that the information on Pages 1 & 2 of this Application is true, complete and correct and affix my signature hereto under the pains and penalties of perjury. By signing below, I agree to abide by the Shellfish Regulations and any other applicable rules and regulations of the Town of Bourne, as well as all applicable laws, rules and regulations of the Commonwealth of Massachusetts. I understand that perjury, misleading statements, or failure to abide by any laws, rules and regulations may result in permit denial, suspension, or revocation; without compensation or reimbursement, if suspended or revoked.

SIGNED: \_\_\_\_\_

EMPLOYEE: \_\_\_\_\_





CHARLES D. BAKER  
Governor

# The Commonwealth of Massachusetts

## Division of Marine Fisheries

251 Causeway Street, Suite 400, Boston, MA 02114

p: (617) 626-1520 | f: (617) 626-1509

[www.mass.gov/marinefisheries](http://www.mass.gov/marinefisheries)



KARYN E. POLITO  
Lt. Governor

KATHLEEN A. THEOHARIDES  
Secretary

RONALD S. AMIDON  
Commissioner

DANIEL J. MCKIERNAN  
Director

BRUCE SILVERBRAND  
BUTTERMILK BAY OYSTER CO.  
18 BAYBERRY RD  
BOURNE, MA 02532

174724

### **SHELLFISH AQUACULTURE/PROPAGATION PERMIT CONDITIONS**

Effective January 1, 2021 - December 31, 2021

#### **General Conditions**

1. All activities conducted under authority of this permit shall be completed in accordance with the provisions of **322 CMR** (Code of Massachusetts Regulations): **6.00: Regulation of Catches; 12.00: Protected Species; 15.00: Management of Marine Aquaculture; 16.00: Shellfish Sanitation, Harvest, Handling and Management**; all pertinent sections of **Chapter 130, Massachusetts General Laws (MGL)**, and all other Division of Marine Fisheries (**DMF**) regulations and statutes pertaining to shellfish and shellfisheries, unless exempted by this permit. **No seed or adult shellfish may be introduced, transplanted or planted into coastal waters unless listed on this permit.**
2. Any violations of the conditions of this permit may result in fines, suspensions, revocation, or prosecution under pertinent sections of Chapter 130, MGL and 322 CMR.
3. All activities conducted under authority of this permit are subject to inspection at any reasonable time by **DMF** employees, **Office of Law Enforcement** environmental police officers and local Shellfish Constables (Chapter 130, section 98, MGL).
4. An annual report must be filed with **DMF** and your municipal shellfish authority (city council or select board) indicating the type, amount and source of shellfish planted, produced and/or marketed during the preceding year, including a list of all seed sales, not later than February 28, 2022 (Chapter 130, section 65, MGL).
5. All shellfish obtained for transport and propagation must be of a species and from a source approved by **DMF** and listed on this permit. **No naturally occurring shellfish from public beds may be stored on an aquaculture license site.**
6. The sale of shellfish for consumption must comply with the provisions of Chapter 130, sections 2, 80, 81, 82, and 83, MGL; 322 CMR, 6.00, 7.00 and 16.00, and 105 CMR 500.000 (**Good Manufacturing Practices for Food-Department of Public Health**) and provisions of this aquaculture permit.
7. This permit is valid until midnight December 31, 2021 for the possession of seed shellfish on the licensed aquaculture Site, and other locations authorized on this permit, unless sooner revoked for cause.
8. In the event of shellfish closures to protect public health under authority of Chapter 130, section 74A, MGL, such as those resulting from unusual rainfall, red tide or oil spills, no activity other than emergency maintenance of gear and shellfish shall be conducted unless prior permission is obtained from **DMF** or the local shellfish constable who must notify **DMF**.
9. All permit holders are required to maintain a list of individuals authorized to work on the permit holder's licensed aquaculture site. Permit holders are required to update the list regularly and to provide a copy of the most recent list of authorized individuals to their local Shellfish Constable. Non-permitted individuals authorized by the permit holder to work on an aquaculture site are not allowed to transport seed or market-size shellfish for culling and/or overwintering unless they are named on this permit and possess a copy of this permit. **Employees or other authorized individuals may sell shellfish to a wholesale dealer on behalf of the aquaculture license holder if they possess an Employee Transaction Card linked to at least one of the permit holder's DMF-issued Commercial Fisherman Permits with a shellfish endorsement.**

#### 10. Bulk Tagging for Culling and Overwintering

If a permit is endorsed for off-site culling or off-site overwintering, the permit holder may bulk tag individual lots of shellfish during transport to and from the aquaculture license site and the off-site location.

A single green waterproof tag may be used indicating the permit holders name, Shellfish Aquaculture Permit number, date of removal, and location of the licensed site (town and water body), number of containers in the lot with the following statement: *All shellfish containers in this lot have the same removal date and are from the same licensed site.*

Additionally, one of the following statements must be on the tag:

1. *Aquaculturally Reared* : To be culled or overwintered.
2. *Aquaculturally Reared* : Culled or overwintered, for return License Site.

The permit holder shall have a bound logbook with the same information on the green tag recorded in ink and the book shall be kept with the shellfish in the cargo area and not in the driving compartment of the motor vehicle.

#### **BULK TAGGING OF SHELLFISH IN TRANSPORT FOR COMMERCIAL PURPOSES IS PROHIBITED EXCEPT IN THE CASE OF GROWER-DEALERS IN POSSESSION OF A BULK TAGGING LETTER OF AUTHORIZATION ISSUED BY DMF.**

Grower-Dealer means the vertically integrated entity that holds a Commercial Fisherman Permit, Aquaculture Propagation Permit, and Wholesale Dealer Permit with DMF, and as a wholesale dealer purchases from themselves the shellfish grown under their Aquaculture Propagation Permit and harvested under their Commercial Fisherman Permit.

It is unlawful for any person to possess or transport shellfish (shellstock) for commercial purposes that is not tagged, as required in 322 CMR 16.05

#### Endorsement Conditions

##### *A. Grow-out*

The permit holder is authorized to grow the shellfish as endorsed at *A.* from sources approved by DMF.

##### *B. Intermediate Grow-out*

This permit may authorize the intermediate grow-out of seed in an upweller, downweller, FLUPSY or other device as endorsed at *B.* *If these devices are in coastal waters they must be located on a licensed aquaculture site and authorized by this permit at B.* Land-based upwellers and downwellers may be authorized without a site license if endorsed on this permit at *B.*

- Prior to transport and transplant of any seed from an intermediate grow-out site to a licensed aquaculture site, or other location, permission must be obtained from DMF through an amendment to this permit.

DMF may also require shellfish disease testing before such permission is granted.

##### *C. Off-Site Culling*

Permitted shellfish seed and/or market sized shellfish may be transported to an off-site location away from the permit holder's private shellfish aquaculture site as endorsed at *C.* for the purpose of culling subject to the following conditions. Permit holders culling market-sized oysters during the *Vibrio parahaemolyticus* (*Vp*) control period must also adhere to *Vibrio* Management regulations in 322 CMR 16.07 (4).

1. The permit holder informs the local Shellfish Constable that their permit is endorsed for off-site culling.
2. All shellfish in transport to and from the off-site culling location shall adhere to the Bulk Tagging provisions at General Conditions no.10 of this permit or each container may be individually tagged using the same record keeping requirements at the permit holder's discretion.
3. This permit endorsement does not authorize the possession or transport of seed shellfish of any kind other than those listed on this permit.
4. All shellstock off-site culled must be returned to the aquaculture license site prior to final harvest and sale to a wholesale dealer.

##### *D. Seed Sales*

This permit may authorize the sale of seed shellfish as endorsed at *D.* subject to the following conditions:

1. Sale of seed shellfish shall be made only to persons holding a valid aquaculture or propagation permit from DMF or to persons holding a similar permit from other states or provinces.

2. Prior to the sale or transplant of any species of seed or adult shellfish from a licensed aquaculture site, upweller or other location, permission must be obtained from DMF through an amendment to this permit.

DMF may also require shellfish disease testing before such permission is granted.

#### ***E. Overwintering***

This permit may authorize the overwintering of seed and/or market-sized shellstock at locations other than the aquaculture site as endorsed at **E**, subject to the following conditions:

1. Overwintering shellstock off a licensed culture site is only authorized for the purpose of re-planting on the permit holder's aquaculture site(s) for additional grow-out.
2. Oysters, both seed and market-size, may be stored or overwintered out of water in pits, or cold storage units as endorsed at **E**.
3. In-water, off-site overwintering of oysters shall only be conducted at another licensed site as authorized at **E**.
4. **No direct marketing of shellfish is allowed from any type of land-based overwintering location.** All market-sized oysters overwintered out of water must be re-submerged (re-conditioned) for a minimum of 14 days prior to harvest for human consumption.
5. All shellfish in transport to and from the overwintering location shall adhere to the **Bulk Tagging** provisions at **General Conditions no. 10** of this permit or each container may be individually tagged using the same record keeping requirements, at the permit holder's discretion.

#### ***F. Spat Collection***

The permit holder may be authorized to conduct shellfish spat collection as endorsed at **F**, subject to the following conditions:

1. Off-site spat collection, if endorsed, shall commence on June 15<sup>th</sup> or later and cease on or before September 15<sup>th</sup>. No gear shall be placed in the water, prior to or remain in the water after the inclusive dates. This does not release the permit holder from obtaining local permission.
2. Off-site spat collection may only be conducted in the same body of water where the permit holder's license site is located or as determined by DMF and endorsed at **F**.
3. On-site spat collection shall be in accordance with the provisions of the *Aquaculture Guidelines of the Department of the Army, General Permit for the Commonwealth of Massachusetts*.

#### ***G. Sale of Undersized (Seed) Shellfish for Market Consumption***

DMF allows the sale of non-conforming sizes of "aquaculture reared" or "farm raised" quahogs, oysters and surf clams for market consumption subject to DMF regulations at 322 CMR: 6.08, 6.20 and 14.03, and the conditions of this permit:

1. Only **aquaculturally reared** oysters, quahogs and surf clams grown on and harvested from the permit holders licensed private aquaculture site may be sold under this size exemption authorization. **No naturally occurring shellfish from public beds below the wild minimum size defined at 322 CMR 6.08 and 6.20 shall be harvested and sold as aquaculture reared.**
2. All containers that hold aquaculture raised oysters, quahogs and surf clams that are smaller than the wild minimum size must have the words "AQUACULTURE REARED" or "FARM RAISED" on the shellfish tag.
3. Aquaculture reared quahogs that do not conform to the wild caught minimum size shall only be sold outside of the Commonwealth. Propagation permit holders shall only sell undersized quahogs to authorized wholesale dealers who are approved primary buyers by the Director pursuant to 322 CMR: 7. 07: *Dealers Acting as Primary Buyers*, and 14.03: *Regulation of Aquaculture Products* and certified by the Department of Public Health for transport and sale of shellfish outside the Commonwealth.
4. All records concerning this activity shall be open to inspection by DMF at any time, and areas utilized for storage and packing of same shall be open to inspection by any officer authorized to enforce the shellfish rules and regulations of the Commonwealth.





CHARLES D. BAKER  
Governor

KARYN E. POLITO  
Lt. Governor

KATHLEEN A. THEOHARIDES  
Secretary

RONALD S. AMIDON  
Commissioner

DANIEL J. MCKIERNAN  
Director

# The Commonwealth of Massachusetts Division of Marine Fisheries

251 Causeway Street, Suite 400, Boston, MA 02114

p: (617) 626-1520 | f: (617) 626-1509

[www.mass.gov/marinefisheries](http://www.mass.gov/marinefisheries)



**Private Aquaculture/Propagation Permit No. 174724**

**Class 3**

**Type 1**

ISSUED: 1/13/2021

EXPIRES: 12/31/2021

FEE: \$10.00  
FTN: 261765  
CHECK #: 1076

## TO WHOM IT MAY CONCERN:

Pursuant to Sections 17, 17A, 17B, 69, 75, 80 and 83 of Chapter 130 of the Massachusetts General Laws and 322 CMR 6.08; 6.10; 6.20; 7.01(4)(c) and 15:00, permission is hereby given, subject to the attached Shellfish Aquaculture Permit Conditions to:

**BRUCE SILVERBRAND  
BUTTERMILK BAY OYSTER CO.  
18 BAYBERRY RD  
BOURNE, MA 02532**

To possess naturally occurring seed shellfish, seed shellfish transplanted under previously issued permits and to transplant seed and/or adult shellfish from Division of Marine Fisheries approved sources at and to the permit holder's private shellfish aquaculture site, licensed under authority of Chapter 130, Section 57 of the Massachusetts General Laws; or at other locations authorized by endorsements made part of this permit. You must carry this permit while engaged in the activities this permit authorizes.

## LOCATION OF AQUACULTURE SITE(S):

TOWN: BOURNE DSGA: BB44  
WATERBODY: BUTTERMILK BAY

SITE(S) NUMBER: BOURNE 4  
LOCATION: BUTTERMILK BAY

### A. GROW-OUT AND SEED PURCHASES

SOURCE	SPECIES
MUSCONGUS	OYSTER

SEE SPECIAL CONDITIONS

### B. INTERMEDIATE GROW-OUT

ON-SITE: NO OFF-SITE: NO

TYPE:

SPECIES:

LOCATION:

### C. OFF-SITE CULLING

OFF-SITE CULLING ALLOWED: YES

LOCATION: 18 BAYBERRY RD. BUZZARDS BAY

(Pursuant to 322 CMR 15.08(5), off-site culling locations are subject to inspection.)

### D. SEED SALES

SEED SALES ALLOWED: NO

SPECIES:

**E. OFF-SITE OVERWINTERING**

OVERWINTERING ALLOWED: NO

METHOD:

LOCATION:

**F. SPAT COLLECTION**

SPAT COLLECTION ALLOWED: NO

LOCATION:

METHOD:

**G. INDIVIDUALS AUTHORIZED TO MOVE PRODUCT OFF LICENSE SITE FOR CULLING,  
OVERWINTERING & TRANSPORT TO WHOLESALE DEALER:**

1. REBBECA SILVERBRAND
2. SAMANTHA SILVERBRAND
3. SABRINA SILVERBRAND

- 4.
- 5.
- 6.

**H. SPECIAL CONDITIONS:**

ALL SEED SOURCES LISTED ON THIS PERMIT MUST BE ADDED TO THE 2021 DIVISION OF MARINE FISHERIES APPROVED SOURCE LIST PRIOR TO YOU TAKING POSSESSION OF THE SEED. IF YOU WISH TO PURCHASE SEED FROM SOURCES NOT LISTED ON THIS PERMIT YOU MUST FIRST OBTAIN AUTHORIZATION FROM MARINE FISHERIES.

Signature: \_\_\_\_\_

Approved by: \_\_\_\_\_

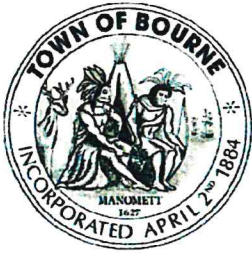
*Daniel J. McKiernan*  
Daniel J. McKiernan  
Director

This document is your Division of Marine Fisheries permit and receipt. Your Permit is not valid until you sign the Signature line above. You must carry this permit while engaged in the activities this permit authorizes.

CC:

SHELLFISH CONSTABLE(S): BOURNE

DMF: J. KENNEDY, C. PETITPAS, T. SHIELDS



# TOWN OF BOURNE

LICENSE NUMBER: **Bourne 5-23**

Aquaculture license to plant, grow and take shellfish from the water of Bourne, as indicated on a plan on file in the offices of the Board of Selectmen and the Department of Natural Resources. This license is issued in accordance with Massachusetts General Laws, Chapter 130 Sec. 57 through 68, and the Town of Bourne Aquaculture Regulations.

Issued to: **Mr. John Ross, 20A Dry Cedar Swamp Road, Bourne, MA 02532**, subject to such regulations and restrictions as may be established by the Board of Selectmen and federal and state regulatory agencies. This license does not grant any property rights. Any use of this license for other than digging and taking of shellfish upon privately owned property may not proceed over the objection of the property owner. Pursuant to General Laws Chapter 130, Section 57, the license may not impair the private rights of any person. This license does not authorize any injury to private property or invasion of private rights. The issuance of this license is not a determination of title or ownership. The licensee acknowledges, it is the responsibility of the licensee to obtain permission, if required, from a private property owner before exercising the rights conferred by this license other than for digging and taking of shellfish. The license holder is on notice that owners of the property described above may bring an action for trespass in a court of competent jurisdiction. A license holder may not rely on this license as a defense to an action in trespass.

Any shellfish licensed area bounded by a navigational channel, as defined by the Harbor Master, that has migrated by natural or man-made causes into or through a permitted shellfish licensed area and has eroded a portion of the permitted land within the licensed area to a navigational depth of at least three (3) feet at mean low water, said channel shall become the natural boundary of the licensed area and supersede any previous agreed boundaries of the licensed area. The license holder shall sacrifice any and all rights of his/her licensed area within this defined navigational channel. Said licensed area in the waters of Bourne is bounded by the following coordinates:

1. 41°43'35.20"N, 70°37'45.81"W    2. 41°43'36.32"N, 70°37'40.73"W    3. 41°43'36.00"N, 70°37'40.62"W    4. 41°43'34.86"N, 70°37'45.60"W  
NW: 41.726344°, -70.629879° NE: 41.726757°, -70.627982°, SW: 41.726073°, -70.629787°, SE: 41.726486°, -70.627880°

LICENSE ISSUED: **January 25, 2022**

LICENSE EXPIRES: **December 31, 2023**

---

Peter J. Meier, Chair

---

Judith MacLeod-Froman, Vice Chair

---

George G. Slade, Jr., Clerk

---

Jared P. MacDonald

---

Mary Jane Mastrangelo



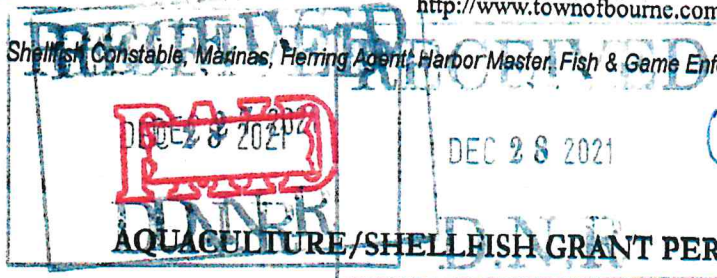


TOWN OF BOURNE  
Department of Natural Resources

24 Perry Avenue - Room 102  
Buzzards Bay, MA 02532-3441  
<http://www.townofbourne.com>



Shellfish, Constable, Marinas, Ferring Agent, Harbor Master, Fish & Game Enforcement, Conservation Enforcement & More



CHK#1005  
\$50.00

OFFICE: (508) 759-0621  
POLICE: (508) 759-4451  
MARINAS: (508) 759-3105  
FAX: (508) 759-8026

Requirements are specified in the accompanying Aquaculture/Grant Regulations; If all requirements are met, complete this Application and submit with the appropriate payment (Payable to "Town of Bourne") to the Department, along with a copy of your Drivers License or State ID Card, and any supporting documentation specified in the Regulations, requested by the Department or indicated below, or that you feel may assist us in making a determination to approve your Application. The burden of any proof regarding eligibility and requirements rests solely with the Applicant. \* Complete all information and print clearly \*

NEW: \_\_\_\_\_ RENEWAL: X

PROPOSED LOCATION OF GRANT: Describe below the specific measurements in feet of the desired area using land boundaries when possible. Attach a sketch or locus map indicating the boundaries and total square feet.

PRIMARY SITE REQUESTED: Mashpee Dike / Hog Island  
I Already HAVE A Shellfish GRANT over there

ALTERNATE SITE REQUESTED: \_\_\_\_\_

NAME (FULL): John Owens Ross

DATE OF BIRTH: [REDACTED] PLACE OF BIRTH: TAUNTON

LEGAL ADDRESS: 20A DRY CEDAR Swamp Rd Bourne MASS

HOME PHONE: \_\_\_\_\_ CELL PHONE: [REDACTED]

EMAIL ADDRESS: [REDACTED]

TIME AT ABOVE ADDRESS: 12 yrs

IF LESS THAN 1 YEAR, PREVIOUS ADDRESS: \_\_\_\_\_

\*ATTACH EVIDENCE OF RESIDENCY - See Truck Registration

MAILING ADDRESS (If Different): PO Box 199 Buzzards Bay

CURRENT/PREVIOUS TOWN PERMITS & DATES: Aquaculture Permit - Bourne 5  
JAN 1, 2018 Quahog - 1978 to Present

OTHER/PREVIOUS TOWNS & DATES PERMITTED IN: Wareham - Quabog 1977

LIST ANY DENIALS/VIOLATIONS IN ANY TOWN: None

\*ATTACH MA COMMERCIAL PERMIT - PERMIT #: 157155 YEARS HELD: 35 YEARS +

PRIMARY OCCUPATION: Shellfisherman

EMPLOYER/ADDRESS/PHONE: \_\_\_\_\_

\*ATTACH PRIMARILY USED VEHICLE REGISTRATION - REG #: 8CL580

VEHICLE MAKE: Chev VEHICLE MODEL: Pickup Truck VEHICLE COLOR: Green/White

\*ATTACH BOAT REGISTRATION - MS/DOC #: MS 7073 RW

BOAT LENGTH: 26 BOAT COLOR: Silver BOAT TYPE: Pontoon

- ANY CHANGES IN THIS INFORMATION MUST BE REPORTED TO THE D.N.R. IMMEDIATELY!

I, the undersigned and as named on Page 1, affirm that the information on Pages 1 & 2 of this Application is true, complete and correct and affix my signature hereto under the pains and penalties of perjury. By signing below, I agree to abide by the Shellfish Regulations and any other applicable rules and regulations of the Town of Bourne, as well as all applicable laws, rules and regulations of the Commonwealth of Massachusetts. I understand that perjury, misleading statements, or failure to abide by any laws, rules and regulations may result in permit denial, suspension, or revocation; without compensation or reimbursement, if suspended or revoked.

SIGNED: [Signature]

EMPLOYEE: \_\_\_\_\_

Date 12/30/21





CHARLES D. BAKER  
Governor

# The Commonwealth of Massachusetts

## Division of Marine Fisheries

251 Causeway Street, Suite 400, Boston, MA 02114

p: (617) 626-1520 | f: (617) 626-1509

[www.mass.gov/marinefisheries](http://www.mass.gov/marinefisheries)

KARYN E. POLITO  
Lt. Governor

KATHLEEN A. THEOHARIDES  
Secretary

RONALD S. AMIDON  
Commissioner

DANIEL J. MCKIERNAN  
Director



JOHN ROSS  
CLEAN ACRES  
P.O. BOX 199  
BOURNE, MA 02532

174618

### **SHELLFISH AQUACULTURE/PROPAGATION PERMIT CONDITIONS**

Effective January 1, 2021 - December 31, 2021

#### **General Conditions**

1. All activities conducted under authority of this permit shall be completed in accordance with the provisions of 322 CMR (Code of Massachusetts Regulations); 6.00: Regulation of Catches; 12.00: Protected Species; 15.00: Management of Marine Aquaculture; 16.00: Shellfish Sanitation, Harvest, Handling and Management; all pertinent sections of Chapter 130, Massachusetts General Laws (MGL), and all other Division of Marine Fisheries (DMF) regulations and statutes pertaining to shellfish and shellfisheries, unless exempted by this permit. **No seed or adult shellfish may be introduced, transplanted or planted into coastal waters unless listed on this permit.**
2. Any violations of the conditions of this permit may result in fines, suspensions, revocation, or prosecution under pertinent sections of Chapter 130, MGL and 322 CMR.
3. All activities conducted under authority of this permit are subject to inspection at any reasonable time by DMF employees, **Office of Law Enforcement** environmental police officers and local Shellfish Constables (Chapter 130, section 98, MGL).
4. An annual report must be filed with DMF and your municipal shellfish authority (city council or select board) indicating the type, amount and source of shellfish planted, produced and/or marketed during the preceding year, including a list of all seed sales, not later than February 28, 2022 (Chapter 130, section 65, MGL).
5. All shellfish obtained for transport and propagation must be of a species and from a source approved by DMF and listed on this permit. **No naturally occurring shellfish from public beds may be stored on an aquaculture license site.**
6. The sale of shellfish for consumption must comply with the provisions of Chapter 130, sections 2, 80, 81, 82, and 83, MGL; 322 CMR, 6.00, 7.00 and 16.00, and 105 CMR 500.000 (Good Manufacturing Practices for Food-Department of Public Health) and provisions of this aquaculture permit.
7. This permit is valid until midnight December 31, 2021 for the possession of seed shellfish on the licensed aquaculture Site, and other locations authorized on this permit, unless sooner revoked for cause.
8. In the event of shellfish closures to protect public health under authority of Chapter 130, section 74A, MGL, such as those resulting from unusual rainfall, red tide or oil spills, no activity other than emergency maintenance of gear and shellfish shall be conducted unless prior permission is obtained from DMF or the local shellfish constable who must notify DMF.
9. All permit holders are required to maintain a list of individuals authorized to work on the permit holder's licensed aquaculture site. Permit holders are required to update the list regularly and to provide a copy of the most recent list of authorized individuals to their local Shellfish Constable. Non-permitted individuals authorized by the permit holder to work on an aquaculture site are not allowed to transport seed or market-size shellfish for culling and/or overwintering unless they are named on this permit and possess a copy of this permit. **Employees or other authorized individuals may sell shellfish to a wholesale dealer on behalf of the aquaculture license holder if they possess an Employee Transaction Card linked to at least one of the permit holder's DMF-issued Commercial Fisherman Permits with a shellfish endorsement.**



#### 10. Bulk Tagging for Culling and Overwintering

If a permit is endorsed for off-site culling or off-site overwintering, the permit holder may bulk tag individual lots of shellfish during transport to and from the aquaculture license site and the off-site location.

A single green waterproof tag may be used indicating the permit holders name, Shellfish Aquaculture Permit number, date of removal, and location of the licensed site (town and water body), number of containers in the lot with the following statement: *All shellfish containers in this lot have the same removal date and are from the same licensed site.*

Additionally, one of the following statements must be on the tag:

1. *Aquaculturally Reared* : To be culled or overwintered.
2. *Aquaculturally Reared* : Culled or overwintered, for return License Site.

The permit holder shall have a bound logbook with the same information on the green tag recorded in ink and the book shall be kept with the shellfish in the cargo area and not in the driving compartment of the motor vehicle.

**BULK TAGGING OF SHELLFISH IN TRANSPORT FOR COMMERCIAL PURPOSES IS PROHIBITED EXCEPT IN THE CASE OF GROWER-DEALERS IN POSSESSION OF A BULK TAGGING LETTER OF AUTHORIZATION ISSUED BY DMF.**

Grower-Dealer means the vertically integrated entity that holds a Commercial Fisherman Permit, Aquaculture Propagation Permit, and Wholesale Dealer Permit with DMF, and as a wholesale dealer purchases from themselves the shellfish grown under their Aquaculture Propagation Permit and harvested under their Commercial Fisherman Permit.

**It is unlawful for any person to possess or transport shellfish (shellstock) for commercial purposes that is not tagged, as required in 322 CMR 16.05**

#### Endorsement Conditions

##### A. Grow-out

The permit holder is authorized to grow the shellfish as endorsed at A. from sources approved by DMF.

##### B. Intermediate Grow-out

This permit may authorize the intermediate grow-out of seed in an upweller, downweller, FLUPSY or other device as endorsed at B. *If these devices are in coastal waters they must be located on a licensed aquaculture site and authorized by this permit at B.* Land-based upwellers and downwellers may be authorized without a site license if endorsed on this permit at B.

- Prior to transport and transplant of any seed from an intermediate grow-out site to a licensed aquaculture site, or other location, permission must be obtained from DMF through an amendment to this permit.  
DMF may also require shellfish disease testing before such permission is granted.

##### C. Off-Site Culling

Permitted shellfish seed *and/or market sized shellfish* may be transported to an off-site location away from the permit holder's private shellfish aquaculture site as endorsed at C. for the purpose of culling subject to the following conditions. **Permit holders culling market-sized oysters during the *Vibrio parahaemolyticus* (Vp) control period must also adhere to *Vibrio* Management regulations in 322 CMR 16.07 (4).**

1. The permit holder informs the local Shellfish Constable that their permit is endorsed for off-site culling.
2. All shellfish in transport to and from the off-site culling location shall adhere to the **Bulk Tagging** provisions at **General Conditions no.10** of this permit or each container may be individually tagged using the same record keeping requirements at the permit holder's discretion.
3. This permit endorsement does not authorize the possession or transport of seed shellfish of any kind other than those listed on this permit.
4. All shellstock off-site culled must be returned to the aquaculture license site prior to final harvest and sale to a wholesale dealer.

##### D. Seed Sales

This permit may authorize the sale of seed shellfish as endorsed at D. subject to the following conditions:

1. Sale of seed shellfish shall be made only to persons holding a valid aquaculture or propagation permit from DMF or to persons holding a similar permit from other states or provinces.

2. Prior to the sale or transplant of any species of seed or adult shellfish from a licensed aquaculture site, upweller or other location, permission must be obtained from DMF through an amendment to this permit.

**DMF may also require shellfish disease testing before such permission is granted.**

#### ***E. Overwintering***

This permit may authorize the overwintering of seed and/or market-sized shellstock at locations other than the aquaculture site as endorsed at *E*, subject to the following conditions:

1. Overwintering shellstock off a licensed culture site is only authorized for the purpose of re-planting on the permit holder's aquaculture site(s) for additional grow-out.
2. Oysters, both seed and market-size, may be stored or overwintered out of water in pits, or cold storage units as endorsed at *E*.
3. In-water, off-site overwintering of oysters shall only be conducted at another licensed site as authorized at *E*.
4. **No direct marketing of shellfish is allowed from any type of land-based overwintering location.** All market-sized oysters overwintered out of water must be re-submerged (re-conditioned) for a **minimum of 14 days** prior to harvest for human consumption.
5. All shellfish in transport to and from the overwintering location shall adhere to the **Bulk Tagging** provisions at **General Conditions no. 10** of this permit or each container may be individually tagged using the same record keeping requirements, at the permit holder's discretion.

#### ***F. Spat Collection***

The permit holder may be authorized to conduct shellfish spat collection as endorsed at *F*, subject to the following conditions:

1. Off-site spat collection, if endorsed, shall commence on June 15<sup>th</sup> or later and cease on or before September 15<sup>th</sup>. No gear shall be placed in the water, prior to or remain in the water after the inclusive dates. This does not release the permit holder from obtaining local permission.
2. Off-site spat collection may only be conducted in the same body of water where the permit holder's license site is located or as determined by DMF and endorsed at *F*.
3. On-site spat collection shall be in accordance with the provisions of the *Aquaculture Guidelines of the Department of the Army, General Permit for the Commonwealth of Massachusetts*.

#### ***G. Sale of Undersized (Seed) Shellfish for Market Consumption***

DMF allows the sale of non-conforming sizes of "aquaculture reared" or "farm raised" quahogs, oysters and surf clams for market consumption subject to DMF regulations at 322 CMR: 6.08, 6.20 and 14.03, and the conditions of this permit:

1. Only **aquaculturally reared** oysters, quahogs and surf clams grown on and harvested from the permit holders licensed private aquaculture site may be sold under this size exemption authorization. **No naturally occurring shellfish from public beds below the wild minimum size defined at 322 CMR 6.08 and 6.20 shall be harvested and sold as aquaculture reared.**
2. All containers that hold aquaculture raised oysters, quahogs and surf clams that are smaller than the wild minimum size must have the words "AQUACULTURE REARED" or "FARM RAISED" on the shellfish tag.
3. Aquaculture reared quahogs that do not conform to the wild caught minimum size shall only be sold outside of the Commonwealth. Propagation permit holders shall only sell undersized quahogs to authorized wholesale dealers who are approved primary buyers by the Director pursuant to 322 CMR: 7.07: *Dealers Acting as Primary Buyers*, and 14.03: *Regulation of Aquaculture Products* and certified by the Department of Public Health for transport and sale of shellfish outside the Commonwealth.
4. All records concerning this activity shall be open to inspection by DMF at any time, and areas utilized for storage and packing of same shall be open to inspection by any officer authorized to enforce the shellfish rules and regulations of the Commonwealth.





CHARLES D. BAKER  
Governor

# The Commonwealth of Massachusetts Division of Marine Fisheries

251 Causeway Street, Suite 400, Boston, MA 02114

p: (617) 626-1520 | f: (617) 626-1509

[www.mass.gov/marinefisheries](http://www.mass.gov/marinefisheries)

KARYN E. POLITO  
Lt. Governor

KATHLEEN A. THEOHARIDES  
Secretary

RONALD S. AMIDON  
Commissioner

DANIEL J. MCKIERNAN  
Director



**Private Aquaculture/Propagation Permit No. 174618**

**Class 3**

**Type 1**

**ISSUED: 2/12/2021**

**EXPIRES: 12/31/2021**

**FEE: \$10.00  
FTN: 264677  
CHECK #: MONEY  
ORDER**

**TO WHOM IT MAY CONCERN:**

Pursuant to Sections 17, 17A, 17B, 69, 75, 80 and 83 of Chapter 130 of the Massachusetts General Laws and 322 CMR 6.08; 6.10; 6.20; 7.01(4)(c) and 15:00, permission is hereby given, subject to the attached Shellfish Aquaculture Permit Conditions to:

**JOHN ROSS  
CLEAN ACRES  
P.O. BOX 199  
BOURNE, MA 02532**

To possess naturally occurring seed shellfish, seed shellfish transplanted under previously issued permits and to transplant seed and/or adult shellfish from Division of Marine Fisheries approved sources at and to the permit holder's private shellfish aquaculture site, licensed under authority of Chapter 130, Section 57 of the Massachusetts General Laws; or at other locations authorized by endorsements made part of this permit. You must carry this permit while engaged in the activities this permit authorizes.

**LOCATION OF AQUACULTURE SITE(S): TOWN: BOURNE**

**DSGA: BB40 SITE(S) NUMBER: BOURNE 5**

**WATERBODY: BUZZARDS BAY**

**LOCATION: MASHNEE**

**A. GROW-OUT AND SEED PURCHASES**

SOURCE  
ARC

SPECIES  
OYSTER

SEE SPECIAL CONDITIONS

**B. INTERMEDIATE GROW-OUT**

ON-SITE: NO OFF-SITE: NO

TYPE:

SPECIES:

LOCATION:

**C. OFF-SITE CULLING**

OFF-SITE CULLING ALLOWED: NO

LOCATION:

(Pursuant to 322 CMR 15.08(5), off-site culling locations are subject to inspection.)

**D. SEED SALES**

SEED SALES ALLOWED: NO

SPECIES:



**E. OFF-SITE OVERWINTERING**

OVERWINTERING ALLOWED: NO

METHOD:

LOCATION:

**F. SPAT COLLECTION**

SPAT COLLECTION ALLOWED: NO

LOCATION:

METHOD:

**G. INDIVIDUALS AUTHORIZED TO MOVE PRODUCT OFF LICENSE SITE FOR CULLING,  
OVERWINTERING & TRANSPORT TO WHOLESALE DEALER:**

- |    |    |
|----|----|
| 1. | 4. |
| 2. | 5. |
| 3. | 6. |

**H. SPECIAL CONDITIONS:**

ALL SEED SOURCES LISTED ON THIS PERMIT MUST BE ADDED TO THE 2021 DIVISION OF MARINE FISHERIES APPROVED SOURCE LIST PRIOR TO YOU TAKING POSSESSION OF THE SEED. IF YOU WISH TO PURCHASE SEED FROM SOURCES NOT LISTED ON THIS PERMIT YOU MUST FIRST OBTAIN AUTHORIZATION FROM MARINE FISHERIES.

Signature: \_\_\_\_\_

Approved by: \_\_\_\_\_

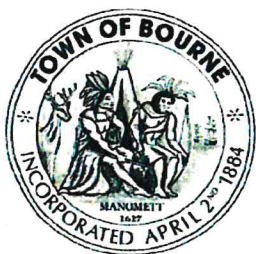
*Daniel J. McKiernan*  
Daniel J. McKiernan  
Director

This document is your Division of Marine Fisheries permit and receipt. Your Permit is not valid until you sign the Signature line above. You must carry this permit while engaged in the activities this permit authorizes.

CC:

SHELLFISH CONSTABLE(S): BOURNE

DMF: J. KENNEDY, C. PETITPAS, T. SHIELDS



# TOWN OF BOURNE

LICENSE NUMBER: **Bourne 6-23**

Aquaculture license to plant, grow and take shellfish from the water of Bourne, as indicated on a plan on file in the offices of the Board of Selectmen and the Department of Natural Resources. This license is issued in accordance with Massachusetts General Laws, Chapter 130 Sec. 57 through 68, and the Town of Bourne Aquaculture Regulations.

Issued to: **Mr. Rodman Taylor, 1 Shipyard Lane, Cataumet, MA 02534**, subject to such regulations and restrictions as may be established by the Board of Selectmen and federal and state regulatory agencies. This license does not grant any property rights. Any use of this license for other than digging and taking of shellfish upon privately owned property may not proceed over the objection of the property owner. Pursuant to General Laws Chapter 130, Section 57, the license may not impair the private rights of any person. This license does not authorize any injury to private property or invasion of private rights. The issuance of this license is not a determination of title or ownership. The licensee acknowledges, it is the responsibility of the licensee to obtain permission, if required, from a private property owner before exercising the rights conferred by this license other than for digging and taking of shellfish. The license holder is on notice that owners of the property described above may bring an action for trespass in a court of competent jurisdiction. A license holder may not rely on this license as a defense to an action in trespass.

Any shellfish licensed area bounded by a navigational channel, as defined by the Harbor Master, that has migrated by natural or man-made causes into or through a permitted shellfish licensed area and has eroded a portion of the permitted land within the licensed area to a navigational depth of at least three (3) feet at mean low water, said channel shall become the natural boundary of the licensed area and supersede any previous agreed boundaries of the licensed area. The license holder shall sacrifice any and all rights of his/her licensed area within this defined navigational channel. Said licensed area in the waters of Bourne is located in slip numbers 204, 205, 206 and 207, at Kingman Yacht Center, One Shipyard Lane, Cataumet, MA 02534.

LICENSE ISSUED: **January 25, 2022**

LICENSE EXPIRES: **December 31, 2023**

---

Peter J. Meier, Chair

---

Judith MacLeod-Froman, Vice Chair

---

George G. Slade, Jr., Clerk

---

Jared P. MacDonald

---

Mary Jane Mastrangelo





**TOWN OF BOURNE**  
**Department of Natural Resources**

24 Perry Avenue - Room 102  
Buzzards Bay, MA 02532-3441  
<http://www.townofbourne.com>



*Shellfish Constable, Marinas, Herring Agent, Harbor Master, Fish & Game Enforcement, Conservation Enforcement & More*

OFFICE: (508) 759-0621  
POLICE: (508) 759-4451  
MARINAS: (508) 759-3105  
FAX: (508) 759-8026

**AQUACULTURE/SHELLFISH GRANT PERMIT APPLICATION**

**Requirements are specified in the accompanying Aquaculture/Grant Regulations;** If all requirements are met, complete this Application and submit with the appropriate payment (Payable to "Town of Bourne") to the Department, along with a copy of your Drivers License or State ID Card, and any supporting documentation specified in the Regulations, requested by the Department or indicated below, or that you feel may assist us in making a determination to approve your Application. The burden of any proof regarding eligibility and requirements rests solely with the Applicant. \* **Complete all information and print clearly \***

NEW: \_\_\_\_\_ RENEWAL: ✓

**PROPOSED LOCATION OF GRANT:** Describe below the specific measurements in feet of the desired area using land boundaries when possible. Attach a sketch or locus map indicating the boundaries and total square feet.

**PRIMARY SITE REQUESTED:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**ALTERNATE SITE REQUESTED:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**NAME (FULL):** BODMAN ELLIOT TAYLOR JR.

**DATE OF BIRTH:** [REDACTED] **PLACE OF BIRTH:** FORT DIX, New Jersey

**LEGAL ADDRESS:** 1 Shipyard Lane, Slip 97, Cataumet, MA.

**HOME PHONE:** [REDACTED] **CELL PHONE:** [REDACTED]

**EMAIL ADDRESS:** [REDACTED]

**TIME AT ABOVE ADDRESS:** 3 years

**IF LESS THAN 1 YEAR, PREVIOUS ADDRESS:** \_\_\_\_\_

**\*ATTACH EVIDENCE OF RESIDENCY**

**MAILING ADDRESS (If Different):** \_\_\_\_\_

**CURRENT/PREVIOUS TOWN PERMITS & DATES:** Commercial eel 12/18/19, Ag Permit 11/14/19



OTHER/PREVIOUS TOWNS & DATES PERMITTED IN: \_\_\_\_\_

LIST ANY DENIALS/VIOLATIONS IN ANY TOWN: \_\_\_\_\_

\*ATTACH MA COMMERCIAL PERMIT - PERMIT #: 178933 YEARS HELD: 2

PRIMARY OCCUPATION: AQUACULTURE

EMPLOYER/ADDRESS/PHONE: PO BOX 510 Cataumet

\*ATTACH PRIMARILY USED VEHICLE REGISTRATION - REG #: MA 1XC 457

VEHICLE MAKE: BMW VEHICLE MODEL: 530XI VEHICLE COLOR: GRAY 2007

\* ATTACH BOAT REGISTRATION - MS/DOC #: NA

BOAT LENGTH: \_\_\_\_\_ BOAT COLOR: \_\_\_\_\_ BOAT TYPE: \_\_\_\_\_

- ANY CHANGES IN THIS INFORMATION MUST BE REPORTED TO THE D.N.R. IMMEDIATELY!

I, the undersigned and as named on Page 1, affirm that the information on Pages 1 & 2 of this Application is true, complete and correct and affix my signature hereto under the pains and penalties of perjury. By signing below, I agree to abide by the Shellfish Regulations and any other applicable rules and regulations of the Town of Bourne, as well as all applicable laws, rules and regulations of the Commonwealth of Massachusetts. I understand that perjury, misleading statements, or failure to abide by any laws, rules and regulations may result in permit denial, suspension, or revocation; without compensation or reimbursement, if suspended or revoked.

SIGNED:  12/16/21 EMPLOYEE: \_\_\_\_\_



CHARLES D. BAKER  
Governor

KARYN E. POLITO  
Lt. Governor

KATHLEEN A. THEOHARIDES  
Secretary

RONALD S. AMIDON  
Commissioner

DANIEL J. MCKIERNAN  
Director

# The Commonwealth of Massachusetts Division of Marine Fisheries

251 Causeway Street, Suite 400, Boston, MA 02114

p: (617) 626-1520 | f: (617) 626-1509

[www.mass.gov/marinefisheries](http://www.mass.gov/marinefisheries)



RODMAN E. TAYLOR  
P.O. BOX 510  
CATAUMET, MA 02534

178933

## **SHELLFISH AQUACULTURE/PROPAGATION PERMIT CONDITIONS** Effective January 1, 2021 - December 31, 2021

### **General Conditions**

1. All activities conducted under authority of this permit shall be completed in accordance with the provisions of 322 CMR (Code of Massachusetts Regulations): 6.00: Regulation of Catches; 12.00: Protected Species; 15.00: Management of Marine Aquaculture; 16.00: Shellfish Sanitation, Harvest, Handling and Management; all pertinent sections of Chapter 130, Massachusetts General Laws (MGL), and all other Division of Marine Fisheries (DMF) regulations and statutes pertaining to shellfish and shellfisheries, unless exempted by this permit. No seed or adult shellfish may be introduced, transplanted or planted into coastal waters unless listed on this permit.
2. Any violations of the conditions of this permit may result in fines, suspensions, revocation, or prosecution under pertinent sections of Chapter 130, MGL and 322 CMR.
3. All activities conducted under authority of this permit are subject to inspection at any reasonable time by DMF employees, Office of Law Enforcement environmental police officers and local Shellfish Constables (Chapter 130, section 98, MGL).
4. An annual report must be filed with DMF and your municipal shellfish authority (city council or select board) indicating the type, amount and source of shellfish planted, produced and/or marketed during the preceding year, including a list of all seed sales, not later than February 28, 2022 (Chapter 130, section 65, MGL).
5. All shellfish obtained for transport and propagation must be of a species and from a source approved by DMF and listed on this permit. No naturally occurring shellfish from public beds may be stored on an aquaculture license site.
6. The sale of shellfish for consumption must comply with the provisions of Chapter 130, sections 2, 80, 81, 82, and 83, MGL; 322 CMR, 6.00, 7.00 and 16.00, and 105 CMR 500.000 (Good Manufacturing Practices for Food-Department of Public Health) and provisions of this aquaculture permit.
7. This permit is valid until midnight December 31, 2021 for the possession of seed shellfish on the licensed aquaculture Site, and other locations authorized on this permit, unless sooner revoked for cause.
8. In the event of shellfish closures to protect public health under authority of Chapter 130, section 74A, MGL, such as those resulting from unusual rainfall, red tide or oil spills, no activity other than emergency maintenance of gear and shellfish shall be conducted unless prior permission is obtained from DMF or the local shellfish constable who must notify DMF.
9. All permit holders are required to maintain a list of individuals authorized to work on the permit holder's licensed aquaculture site. Permit holders are required to update the list regularly and to provide a copy of the most recent list of authorized individuals to their local Shellfish Constable. Non-permitted individuals authorized by the permit holder to work on an aquaculture site are not allowed to transport seed or market-size shellfish for culling and/or overwintering unless they are named on this permit and possess a copy of this permit. Employees or other authorized individuals may sell shellfish to a wholesale dealer on behalf of the aquaculture license holder if they possess an Employee Transaction Card linked to at least one of the permit holder's DMF-issued Commercial Fisherman Permits with a shellfish endorsement.



#### 10. Bulk Tagging for Culling and Overwintering

If a permit is endorsed for off-site culling or off-site overwintering, the permit holder may bulk tag individual lots of shellfish during transport to and from the aquaculture license site and the off-site location.

A single green waterproof tag may be used indicating the permit holders name, Shellfish Aquaculture Permit number, date of removal, and location of the licensed site (town and water body), number of containers in the lot with the following statement: *All shellfish containers in this lot have the same removal date and are from the same licensed site.*

Additionally, one of the following statements must be on the tag:

1. *Aquaculturally Reared* : To be culled or overwintered.
2. *Aquaculturally Reared* : Culled or overwintered, for return License Site.

The permit holder shall have a bound logbook with the same information on the green tag recorded in ink and the book shall be kept with the shellfish in the cargo area and not in the driving compartment of the motor vehicle.

**BULK TAGGING OF SHELLFISH IN TRANSPORT FOR COMMERCIAL PURPOSES IS PROHIBITED EXCEPT IN THE CASE OF GROWER-DEALERS IN POSSESSION OF A BULK TAGGING LETTER OF AUTHORIZATION ISSUED BY DMF.**

Grower-Dealer means the vertically integrated entity that holds a Commercial Fisherman Permit, Aquaculture Propagation Permit, and Wholesale Dealer Permit with DMF, and as a wholesale dealer purchases from themselves the shellfish grown under their Aquaculture Propagation Permit and harvested under their Commercial Fisherman Permit.

It is unlawful for any person to possess or transport shellfish (shellstock) for commercial purposes that is not tagged, as required in 322 CMR 16.05

#### Endorsement Conditions

##### A. Grow-out

The permit holder is authorized to grow the shellfish as endorsed at A. from sources approved by DMF.

##### B. Intermediate Grow-out

This permit may authorize the intermediate grow-out of seed in an upweller, downweller, FLUPSY or other device as endorsed at B. *If these devices are in coastal waters they must be located on a licensed aquaculture site and authorized by this permit at B.* Land-based upwellers and downwellers may be authorized without a site license if endorsed on this permit at B.

- Prior to transport and transplant of any seed from an intermediate grow-out site to a licensed aquaculture site, or other location, permission must be obtained from DMF through an amendment to this permit.

DMF may also require shellfish disease testing before such permission is granted.

##### C. Off-Site Culling

Permitted shellfish seed and/or market sized shellfish may be transported to an off-site location away from the permit holder's private shellfish aquaculture site as endorsed at C. for the purpose of culling subject to the following conditions. **Permit holders culling market-sized oysters during the *Vibrio parahaemolyticus* (Vp) control period must also adhere to *Vibrio* Management regulations in 322 CMR 16.07 (4).**

1. The permit holder informs the local Shellfish Constable that their permit is endorsed for off-site culling.
2. All shellfish in transport to and from the off-site culling location shall adhere to the Bulk Tagging provisions at General Conditions no.10 of this permit or each container may be individually tagged using the same record keeping requirements at the permit holder's discretion.
3. This permit endorsement does not authorize the possession or transport of seed shellfish of any kind other than those listed on this permit.
4. All shellstock off-site culled must be returned to the aquaculture license site prior to final harvest and sale to a wholesale dealer.

##### D. Seed Sales

This permit may authorize the sale of seed shellfish as endorsed at D. subject to the following conditions:

1. Sale of seed shellfish shall be made only to persons holding a valid aquaculture or propagation permit from DMF or to persons holding a similar permit from other states or provinces.



2. Prior to the sale or transplant of any species of seed or adult shellfish from a licensed aquaculture site, upweller or other location, permission must be obtained from DMF through an amendment to this permit.

DMF may also require shellfish disease testing before such permission is granted.

#### ***E. Overwintering***

This permit may authorize the overwintering of seed and/or market-sized shellstock at locations other than the aquaculture site as endorsed at *E.* subject to the following conditions:

1. Overwintering shellstock off a licensed culture site is only authorized for the purpose of re-planting on the permit holder's aquaculture site(s) for additional grow-out.
2. Oysters, both seed and market-size, may be stored or overwintered out of water in pits, or cold storage units as endorsed at *E.*
3. In-water, off-site overwintering of oysters shall only be conducted at another licensed site as authorized at *E.*
4. **No direct marketing of shellfish is allowed from any type of land-based overwintering location.** All market-sized oysters overwintered out of water must be re-submerged (re-conditioned) for a **minimum of 14 days** prior to harvest for human consumption.
5. All shellfish in transport to and from the overwintering location shall adhere to the **Bulk Tagging** provisions at **General Conditions no. 10** of this permit or each container may be individually tagged using the same record keeping requirements, at the permit holder's discretion.

#### ***F. Spat Collection***

The permit holder may be authorized to conduct shellfish spat collection as endorsed at *F.* subject to the following conditions:

1. Off-site spat collection, if endorsed, shall commence on June 15<sup>th</sup> or later and cease on or before September 15<sup>th</sup>. No gear shall be placed in the water, prior to or remain in the water after the inclusive dates. This does not release the permit holder from obtaining local permission.
2. Off-site spat collection may only be conducted in the same body of water where the permit holder's license site is located or as determined by DMF and endorsed at *F.*
3. On-site spat collection shall be in accordance with the provisions of the *Aquaculture Guidelines of the Department of the Army, General Permit for the Commonwealth of Massachusetts.*

#### ***G. Sale of Undersized (Seed) Shellfish for Market Consumption***

DMF allows the sale of non-conforming sizes of "aquaculture reared" or "farm raised" quahogs, oysters and surf clams for market consumption subject to DMF regulations at 322 CMR: 6.08, 6.20 and 14.03, and the conditions of this permit:

1. Only **aquaculturally reared** oysters, quahogs and surf clams grown on and harvested from the permit holders licensed private aquaculture site may be sold under this size exemption authorization. **No naturally occurring shellfish from public beds below the wild minimum size defined at 322 CMR 6.08 and 6.20 shall be harvested and sold as aquaculture reared.**
2. All containers that hold aquaculture raised oysters, quahogs and surf clams that are smaller than the wild minimum size must have the words "AQUACULTURE REARED" or "FARM RAISED" on the shellfish tag.
3. Aquaculture reared quahogs that do not conform to the wild caught minimum size shall only be sold outside of the Commonwealth. Propagation permit holders shall only sell undersized quahogs to authorized wholesale dealers who are approved primary buyers by the Director pursuant to 322 CMR: 7. 07: *Dealers Acting as Primary Buyers*, and 14.03: *Regulation of Aquaculture Products* and certified by the Department of Public Health for transport and sale of shellfish outside the Commonwealth.
4. All records concerning this activity shall be open to inspection by DMF at any time, and areas utilized for storage and packing of same shall be open to inspection by any officer authorized to enforce the shellfish rules and regulations of the Commonwealth.



CHARLES D. BAKER  
Governor

# The Commonwealth of Massachusetts

## Division of Marine Fisheries

251 Causeway Street, Suite 400, Boston, MA 02114  
p: (617) 626-1520 | f: (617) 626-1509  
[www.mass.gov/marinefisheries](http://www.mass.gov/marinefisheries)

KARYN E. POLITO  
Lt. Governor

KATHLEEN A. THEOHARIDES  
Secretary

RONALD S. AMIDON  
Commissioner



DANIEL J. MCKIERNAN  
Director

**Private Aquaculture/Propagation Permit No. 178933**

**Class 3**

**Type 1**

**ISSUED: 1/21/2021**

**EXPIRES: 12/31/2021**

**FEE: \$10.00**  
**FTN: 262487**  
**CHECK #: 3233**

**TO WHOM IT MAY CONCERN:**

Pursuant to Sections 17, 17A, 17B, 69, 75, 80 and 83 of Chapter 130 of the Massachusetts General Laws and 322 CMR 6.08; 6.10; 6.20; 7.01(4)(c) and 15:00, permission is hereby given, subject to the attached Shellfish Aquaculture Permit Conditions to:

**RODMAN E. TAYLOR**  
**P.O. BOX 510**  
**CATAUMET, MA 02534**

To possess naturally occurring seed shellfish, seed shellfish transplanted under previously issued permits and to transplant seed and/or adult shellfish from Division of Marine Fisheries approved sources at and to the permit holder's private shellfish aquaculture site, licensed under authority of Chapter 130, Section 57 of the Massachusetts General Laws; or at other locations authorized by endorsements made part of this permit. You must carry this permit while engaged in the activities this permit authorizes.

**LOCATION OF AQUACULTURE SITE(S): TOWN: BOURNE**

**DSGA: BB49.1 SITE(S) NUMBER: UPWELLER**  
**WATERBODY: RED BROOK HARBOR**

**LOCATION: KINGMAN YACHT CENTER**

**A. GROW-OUT AND SEED PURCHASES**  
SOURCE SPECIES  
MUSCONGUS OYSTER  
MUSCONGUS BAY SCALLOP  
MUSCONGUS QUAHOG

SEE SPECIAL CONDITIONS

**B. INTERMEDIATE GROW-OUT**  
ON-SITE: YES OFF-SITE: NO

TYPE: IN WATER

SPECIES: OYSTER, QUAHOG, BAY SCALLOP

LOCATION: 1 SHIPYARD LN., BOURNE

**C. OFF-SITE CULLING**

OFF-SITE CULLING ALLOWED: NO

LOCATION:

(Pursuant to 322 CMR 15.08(5), off-site culling locations are subject to inspection.)

**D. SEED SALES**

SEED SALES ALLOWED: YES

SPECIES: OYSTER, QUAHOG, BAY SCALLOP

WITHIN MASSACHUSETTS PENDING  
PATHOLOGY AND DMF APPROVAL & OUT-OF-  
STATE SUBJECT TO CONDITIONS SET FORTH  
BY RECEIVING STATE'S REGULATORY  
AUTHORITY



**E. OFF-SITE OVERWINTERING**

OVERWINTERING ALLOWED: NO

METHOD:

LOCATION:

**F. SPAT COLLECTION**

SPAT COLLECTION ALLOWED: NO

LOCATION:

METHOD:

**G. INDIVIDUALS AUTHORIZED TO MOVE PRODUCT OFF LICENSE SITE FOR CULLING,  
OVERWINTERING & TRANSPORT TO WHOLESALE DEALER:**

- 1.
- 2.
- 3.

- 4.
- 5.
- 6.

**H. SPECIAL CONDITIONS:**

ALL SEED SOURCES LISTED ON THIS PERMIT MUST BE ADDED TO THE 2021 DIVISION OF MARINE FISHERIES APPROVED SOURCE LIST PRIOR TO YOU TAKING POSSESSION OF THE SEED. IF YOU WISH TO PURCHASE SEED FROM SOURCES NOT LISTED ON THIS PERMIT YOU MUST FIRST OBTAIN AUTHORIZATION FROM MARINE FISHERIES.

PRIOR TO SALE OR TRANSPLANT SHELLFISH MUST BE TESTED FOR DISEASES, A COPY OF THE PATHOLOGY REPORT IS TO BE SENT TO MARINE FISHERIES PRIOR TO ANY MOVEMENT. SALE OF SEED SHALL ONLY BE MADE TO PERSONS HOLDING A VALID PERMIT FROM DMF.

UPWELLERS ARE LOCATED IN CONDITIONALLY APPROVED WATERS. ALL SHELLFISH MUST BE REMOVED PRIOR TO REACHING 25 MM IN SHELL LENGTH WHILE THE AREA IS IN THE CLOSED STATUS (JUNE THROUGH OCTOBER).

Signature: \_\_\_\_\_

Approved by:

  
Daniel J. McKiernan  
Director

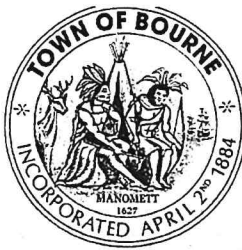
This document is your Division of Marine Fisheries permit and receipt. Your Permit is not valid until you sign the Signature line above. You must carry this permit while engaged in the activities this permit authorizes.

CC:

SHELLFISH CONSTABLE(S): BOURNE

DMF: J. KENNEDY, C. PETITPAS, T. SHIELDS





TO THE LICENSING AUTHORITY OF THE TOWN OF BOURNE:

The Undersigned hereby makes application for a

COMMON VICTUALER'S LICENSE ☒

Under MGL, Chapter 140

Snack Bar at the  
John Gallo Ice Arena

FOOD VENDOR'S LICENSE ☐

Under Town of Bourne Bylaws

Article 3.5

Location:	<u>Gallo Ice Arena · 231 Sandwich Road · Bourne</u>
Corporate Name:	
Individual/Partnership:	
Business Name:	<u>Bourne Recreation Authority</u>
Manager:	<u>John H. Hickey</u>
Date:	<u>01-11-22</u>

We/I hereby agree to conform in all respects to the conditions governing such license as printed in the Bylaws of the Town, and such other rules and regulations as the Selectmen may establish.

With the signing of this application the applicant acknowledges that:

- (a) It is understood that the Board is not required to grant the license;
- (b) In event of a proposed sale of a business requiring a *Common Victualer and/or Food Vendor's* License, an application for a transfer of said license will be deemed to be an application for a new license (subject to the rules and regulations herein contained), and the owner of such business shall be required to file with the Board of Selectmen a thirty-day notice of his intention to sell same before such application will be acted upon by the Selectmen;
- (c) That the license is subject to revocation if the holder of the license does not comply with state law, town bylaws or the Rules and Regulations of the Board of Selectmen.

Signature Name:	<u>John H. Hickey</u>
Signature Name:	<u>[Signature]</u>
Business Address:	<u>231 Sandwich Road</u>
Home Address:	<u>[Redacted]</u>
Phone:	<u>[Redacted]</u> (Business) <u>508-759-8904 (x2)</u>
Email:	<u>manager@galloarena.com</u>

- NOTE: (a) If a corporation, state full names and addresses of principal officers;  
(b) If a co-partnership, information must be provided on each partner; if corporation information must be provided on corporate officer making application.

Name: John H. Hickey

Address: [Redacted] N. Falmouth, MA 02556

Description of Applicant

Born in U.S. Yes ☒ No ☐  
Born Where: Wareham, MA  
Date of Naturalization: \_\_\_\_\_  
Male or Female: Male

Photo (1 inch x 1 inch)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Description of Applicant

Born in U.S. Yes ☐ No ☐  
Born Where: \_\_\_\_\_  
Date of Naturalization: \_\_\_\_\_  
Male or Female: \_\_\_\_\_

Photo (1 inch x 1 inch)

The Establishment shall operate as:

- ( ) Sole ownership  
( ) Limited Liability Corporation  
( ) Partnership - Total Number of Partners \_\_\_\_\_  
(x) Corporation based in Bourne, MA 02532 (Municipality)

Corporate information (if applicable):

President: \_\_\_\_\_  
Secretary: \_\_\_\_\_  
Treasurer: \_\_\_\_\_  
(Name) (Address)

INFORMATION RELATIVE TO APPLICANT

Is the property owned by you? (Please Check) Yes ☒ No ☐ (Bourne Recreation Auth.)  
Tenant at Will \_\_\_\_\_  
Lease \_\_\_\_\_ Years \_\_\_\_\_

Hours of Operation:

Floor Space 1,000 Sq. Ft. Seating capacity 22  
Parking capacity 500 Number of Employees TBD

One (1) copy of the following items must be submitted with the application:

1. Layout plan of facility and fixtures Date received \_\_\_\_\_
2. Site Plan Date received \_\_\_\_\_
3. Outside Facade and Sign Plan Date received \_\_\_\_\_

If the facilities are not yet completed, provide estimated cost of work to be done:

\$ \_\_\_\_\_ Date received \_\_\_\_\_

Please attach Applicant's Resume including References

FOR OFFICE USE ONLY

RECEIVED BY: \_\_\_\_\_ DATE RECEIVED: \_\_\_\_\_

FEE PAID: \_\_\_\_\_

Scheduled hearing when application will be presented to Board of Selectmen for Processing

Date \_\_\_\_\_ Time \_\_\_\_\_

Board Action: Approved for processing Yes ☐ No ☐ Date \_\_\_\_\_

If approved for processing Department reports are due \_\_\_\_\_ for action at the  
\_\_\_\_\_ meeting of the Board of Selectmen.

Board Action: Approved: Yes ☐ No ☐ Date \_\_\_\_\_ License # \_\_\_\_\_

Signature

NAME Bourne Recreation Authority

ST

MA

**2022**

MANAGER John H. Hickey, Manager

ZIP

02532

**Food**

MSTREET

231 Sandwich Road

D/B/A d/b/a Snack Bar at the John Gallo Ice Arena

MCITY

Bourne

STREET 231 Sandwich Road

MST

MA

BOX ☐

CITY Bourne

MZIP

02532

BUS PHONE 508-922-0482

CAPACITY

HOME PHONE

DESCRPT  
OF PREMISE

TYPE  
LICENSE

LIC#

STATE#

LIQ LIC AMT

LIQ LIC ISSUED

FD#

FD AMT

\$50.00

FD ISSUED

FD V #

FD V AMT

FD V ISSUED

WKDY#

WKDY AMT

WKDY ISSUED

COAD #

COAD AMT

COAD ISSUED

COAD TYPE

GEN #

GEN AMT

GEN ISSUED

HOURS

FED ID OR  
SS #  
SNDY #

SNDY AMT

SUN ISSUED

TYPE OF  
ENTRTNMT

OWNR OF  
PREMISE

OWNR  
ADDRESS

INN/LODGE #

INN/LODGE  
AMT

INN/LODGE  
ISSUED

REMARKS

MAP

016.0

PARCEL

014.00

DIST

Additional Info

New 01.25.22

A ☐ T ☐ C ☐ H ☐

CODE

EMAIL ADDRESS:

manager@galloarena.com





**Town of Bourne**  
**Interdepartmental Advisory Form**



<b>Start Date:</b>	1/12/2022
<b>Owner/Applicant:</b>	Bourne Recreation Authority Snack Bar at the John Gallo Ice Arena John H. Hickey, Manager [REDACTED] North Falmouth, MA 02556 508.922.0482 - manager@galloarena.com
<b>Project Location:</b>	Gallo Ice Arena 231 Sandwich Road, Bourne, MA 02532
<b>Nature of Request:</b>	Common Victualer [food] License Formerly Colonial Concessions
<b>Liability Insurance Naming Town of Bourne as Additional Insured</b>	Has applicant provided insurance? <input type="checkbox"/> Yes <input type="checkbox"/> No

<b>Map:</b>	16.0	<b>Parcel:</b>	14.00	<b>District:</b>	
-------------	------	----------------	-------	------------------	--

☐ **Engineering:**

<b>Date of Recording:</b>		<b>Lot Area:</b>		<b>Frontage:</b>		<b>Zone:</b>	
<b>Resource District:</b>		<b>Town Road:</b>	No	<b>Paved:</b>	yes	<b>Contiguous Lots:</b>	no
<b>Flood Zone:</b>	X	<b>Within 100' of Wetland:</b>	Yes				

Owner:  
Remarks:

---

1/12/2022	Timothy P Lydon
Date	Department Head

---

☐ **Planning Department/Planning Board:** ☒ **Concurs** ☐ **Does Not Concur**

Remarks:

---

1/13/2022	Coreen V. Moore
Date	Town Planner

---

☐ **Conservation Commission:** ☐ **Must File** ☐ **Determination** ☐ **Notice of Intent**  
☒ **Need not File**

Remarks:

---

1/13/2022	Stephanie Fitch
Date	Conservation Agent

---

☐ **Board of Health:** ☒ **Concurs** ☐ **Does Not Concur**

Remarks:

01/19/22 2:01 PMM:\public\_share\Routing Slips\Snack Bar at the John Gallo Ice Arena.doc

1/19/2022

Date

K. Thut per T. Guarino email

Health Agent

☐ Building Inspector:

☒ Concurs

☐ Does Not Concur

Remarks:

1/12/2022

Date

KMurphy/ag

Building Inspector

☐ Sewer Commissioners: ☐ Approved ☐ Disapproved ☒ Not Under Sewer Jurisdiction

Remarks:

1/13/2022

Date

K. Thut/admin

Department Head

☐ Town Collector:

☐ Outstanding Taxes

☒ Taxes Paid In Full

FY	RE	\$0.00	FY	RE	\$0.00	FY	RE	\$0.00
FY	RE	\$0.00	FY	RE	\$0.00	FY	RE	\$0.00
FY	RE	\$0.00	FY	RE	\$0.00	FY	RE	\$0.00

Remarks:

1/13/2022

Date

A Dastous

Town Collector

☐ Town Clerk:

If not corporation has business certificate been issued? ☐ Yes ☐ No

Remarks: N/A

1/12/2022

Date

MFernandes

Clerk's Office

☐ Assessors:

This individual has (have) completed the Form of List? ☐ Yes ☐ No

Remarks: na

1/18/2022

Date

JPotter

Assessors Office

☐ Department of Public Works: ☐ Approved ☐ Disapproved ☒ Not Under DPW Jurisdiction

Remarks:

1/18/2022

Date

Matthew Quinn

Department Head

☐ Department of Natural Resources: ☐ Approved ☐ Disapproved ☒ Not Under DNR Jurisdiction

Remarks:

1/12/2022

Date

Chris Southwood

Department Head

☐ Recreation Department: ☐ Concurs ☐ Does Not Concur ☒ Not Under Jurisdiction

Remarks:

1/19/2022

Date

Krissanne Caron

Department Head

☐ Police Department: ☒ Concurs ☐ Does Not Concur ☐ Not Under Police Jurisdiction

Remarks:

1/13/2022

Date

Lt. John R. Stowe

Department Head

☐ Fire Department: ☒ Concurs ☐ Does Not Concur

Remarks:

1/14/2022

Date

David S. Pelonzi, Assistant Chief

Department Head

☐ Town Administrator/Board of Selectmen: ☐ Concurs ☐ Does Not Concur

Remarks:

Date

Town Administrator/Board of Selectmen Chairman





# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
01/10/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	HART INSURANCE AGENCY, INC. 243 MAIN STREET PO BOX 700 BUZZARDS BAY, MA 025320700	CONTACT NAME: Erica H. O'Connor	
		PHONE (A/C, No, Ext): FAX (A/C, No): E-MAIL ADDRESS: eoconnor@hartinsuranceagency.com	
INSURED	Bourne Recreation Authority 231 Sandwich Road Bourne, MA 02532	INSURER(S) AFFORDING COVERAGE	NAIC #
		INSURER A : NOVA CASUALTY	42552
		INSURER B : MANUFACTURERS ALLIANCE INS CO	36897
		INSURER C : ATLANTIC & GULF STATES INS CO	10332
		INSURER D :	
		INSURER E :	
		INSURER F :	

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			302001-11-69-93-7	07/01/2021	07/01/2022	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 1,000,000 \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 10,000			652001-11-69-93-7	07/01/2021	07/01/2022	EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$ 1,000,000 \$
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input checked="" type="checkbox"/> N	N/A	WCX3401450021	07/01/2021	07/01/2022	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

## CERTIFICATE HOLDER

Fax #: (508) 759-9585

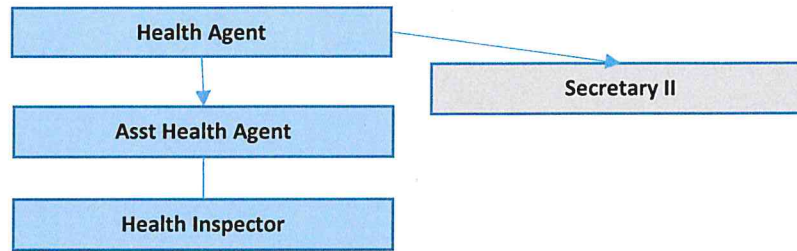
Town Of Bourne  
24 Perry Ave  
Buzzards Bay, MA 02532

## CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

© 1988-2015 ACORD CORPORATION. All rights reserved.



Staffing	
Health Agent	1
Asst Health Agent*	1
Health Inspector	1
Secretary II	1
TOTAL	4

\* Effective Feb. 11, 2022. Absent a Board of Selectmen's veto per Article 5.1 of the Town Charter.