

The Coastal Resiliency Action Committee
MEETING MINUTES - TUESDAY, JANUARY 26, 2021, 4:00 P.M.

In accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, § 20, relating to the 2020 novel Coronavirus outbreak emergency, **the January 26, 2021 public meeting of the Coastal Resiliency Action Committee shall be physically closed to the public to avoid group congregation.**

Alternative public access to this meeting shall be provided in the following manner:

1. The meeting will be televised via Falmouth Community Television.
2. Real-time public comment can be addressed to the Coastal Resiliency Action Committee utilizing the Zoom virtual meeting software for remote access. This application will allow users to view the meeting and send a comment or question to the Chair via the Chat function. Submitted text comments will be read into the record at the appropriate points in the meeting.
 - a. Zoom Login instructions:
 - i. Instructions and the meeting link for this specific meeting can be found at the following web address: <http://www.falmouthma.gov/CoastalResiliency>
 - ii. Please plan on 10-15 minutes of preparation time to log in though it may be less if you have previously used Zoom on the device you will use to access this meeting.
3. Additionally public comments may be sent in advance of the meeting to concom@falmouthma.gov at **least 5 hours prior** to the beginning of the meeting. Documents and audio or video files may also be submitted via email. Submitted email comments and documents will be made a part of the meeting record and may be read into the record, summarized or displayed during the meeting at the discretion of the chair.

Present: Charles McCaffrey, Chair
Melissa Freitag, Vice-Chair
Paul Dreyer
Andrew Ashton
Jennifer Lincoln, Conservation Commission Administrator

Absent: Jamie Mathews, Ed Schmitt, Alternate

Mr. McCaffrey opened the meeting at 4:20 p.m.

Continue to discuss and vote priority actions from the MVP Workshop, Vulnerability Assessment, and prior Town studies.

Mr. McCaffrey: We left off at page 70 in reviewing the recommendations in the Vulnerability Assessment (VA). I'd like us to look at the remaining recommendations and indicate our agreement, modification or rejection.

Mr. Dreyer: The recommendations have made a lot of sense, especially the emergency purposes they considered.

Mr. McCaffrey: Crossings on Rte. 28 were not included in the VA because it is a culvert (Green Pond) – where Rte. 28 passes the head of the ponds. Major culverts need to be assessed for vulnerability.

Mr. Ashton: It's important to consider the location of other culverts on Rte. 28.

Mr. McCaffrey: The next one is Menauhant Road at Little Pond.

Mr. Dreyer: It's a critical area.

Mr. McCaffrey: Any concerns with the recommendations from page 70 to page 95?

Mr. Dreyer: On page 72 – Menauhant Road bridge.

Mr. McCaffrey: Any comments on the rest?

Mr. Ashton: Menauhant Road is important for emergency access. That it should be kept for emergency access is a bad decision long term. The Town should seriously consider evacuation routes.

Mr. McCaffrey: There is an emphasis on perpendicular access.

Mr. Ashton: If all the evacuations go north they don't have to go by shore roads.

Mr. Dreyer: During and after storms access could be hard.

Ms. Freitag: There is redundancy in every emergency access. Every evacuation route has a duplicate. It's a matter of having the Town reexamine them. There are other ways to get around Menauhant.

Ms. Lincoln: There is an access point in West Falmouth on Little Neck Bars Road. I checked with the Fire Department about it being an evacuation route. According to them it's not a formalized evacuation point.

Ms. Freitag: When I was on the Select Board, Ray Jack and Peter McConarty told me it was.

Ms. Lincoln: The Town has to look at the evacuation routes and make them go more toward Rte. 28 and not having people driving to look at the shore roads.

Ms. Freitag: Rte. 28 is a State road.

Mr. McCaffrey: It doesn't make sense to keep the shore roads for evacuation routes. They need to look at all places where Rte. 28 crosses. We have to raise the issue with the Town re Green Pond. The VA didn't assess culverts for vulnerability.

Mr. Ashton: The Town should be talking to the State about that.

Mr. McCaffrey: The Town should be planning for improvements. I'd like to go around the Committee to see if any members had concerns with the recommendations from pp. 70 to 95. There are 6 or 7 recommendations.

Mr. Dreyer: I looked at them. I had no problem with any of the recommendations in that section.

Ms. Freitag: I don't recall any issues either.

Mr. McCaffrey: What about the nourishment of the beach and the sediment augmentation to the wetland behind it?

Ms. Freitag: On page 79 the extension of the salt marsh – it mentions culverts. Chapoquoit needs to become an island again.

Mr. McCaffrey: We should say something different. We need to look at that.

Ms. Freitag: I have no issues with the VA recommendations.

Mr. Ashton: On page 74 re Washburn Island – they talk about nourishment and a third inlet. It’s not a big concern, but it’s hard to keep the inlet open.

Mr. McCaffrey: The maps are based on the SLAM model.

Mr. Dreyer: We should make a note to leave it alone.

Mr. McCaffrey: It’s important for us to stop pressure to intervene.

Ms. Freitag: It should undergo its natural settlement.

Mr. McCaffrey: One of the things they did not assess is Bournes Pond.

Ms. Freitag: Have the groins been permitted yet?

Ms. Lincoln: They went before ConCom last week and they are voting on it tomorrow. We fully expect the Board to issue an Order of Conditions (OOC) for the project.

Mr. McCaffrey: They still need a special permit. Let’s jump ahead – it shows the future map for Woods Hole on page 90. There is a new harbor. This needs to be looked at. Woods Hole Group (WHG) looked at all probabilities of flooding and states there is a relatively low chance.

Ms. Lincoln: How long will the funding last? Does it make fiscal sense to repair tennis courts?

Mr. McCaffrey: I think it’s a pretty big risk. We should recommend to the Planning Board that they have a future land use plan for the area. Land use will have to change for the village. They may have to change the entrance to Eel Pond. So much will change.

Ms. Freitag: It will help to ask the agencies down there.

Mr. Ashton: With the dock expansion they are pretty roped into what’s going on.

Ms. Freitag: They might want to know what the Town is going to do.

Mr. Ashton: They will have to think of mixed use in the village.

Mr. McCaffrey: Any further thoughts?

Mr. Ashton: I don’t think we should push living with water.

Mr. Dreyer: I think we should include the VA report as an appendix to ours. I’m concerned that Appendix B is about 30 pages. Maybe we should put a note to look up the VA on the website. See Appendix C for summaries of reports.

Mr. McCaffrey: We need to have all the maps fully readable. Did we do that?

Ms. Lincoln: I’ll have to check.

Mr. McCaffrey: They are very confusing. We can tell people where readable versions of the maps are. We may want to give some money to WHG to make sure where they are in the report or online.

Ms. Freitag: We could target footnoting and/or a hyperlink to page 92 of the report.

Mr. McCaffrey: We may need WHG’s help to do that. We need a few sentences that are clear re the recommendations.

Ms. Freitag: It may help to get the Town to hire an Administrative person.

Mr. McCaffrey: So our focus is on special recommendations. Jen and I will talk to WHG. I recommend you look at the Coastal Resiliency Working Group (CRWG) recommendations. Go to the Appendix A in the Buzzards’ Bay Report. We should have comments on the status of recommendations issued in 2003.

Ms. Freitag: Why look at status?

Mr. McCaffrey: To have more information on what was done and what was not done. The first recommendation is to establish a Coastal Management Committee. Do we agree with that? The Committee was formed and then forgotten about. It was proposed and the Select Board voted to name it the Coastal Ponds Committee. The name was then changed to the Coastal Management Committee but nothing was done. We can talk about another short term group like that but the Town has to have better coastal management. Staff is needed.

Ms. Freitag: We can agree with the CRWG recommendations and recommend an Administrator for coastal management.

Ms. Lincoln: We want a technical professional not an admin.

Ms. Freitag: Our technical professional person will implement CRWG and VA recommendations.

Ms. Lincoln: This has to go through the Planning Board and through the Town Planner.

Mr. McCaffrey: Also under the Community Development Director. We should have discussions with everyone to create the position. We don't have to go through Town Meeting.

Ms. Freitag: They just have to finance it through Town Meeting.

Mr. McCaffrey: They can do it through departments.

Mr. Dreyer: They have been talking about this for years. It could be grouped through all the agencies – Community Development, Planning Board, ConCom.

Ms. Freitag: It took years to get a Finance Director. CRWG recommended a coastal planner.

Ms. Lincoln: That would be your technical position. Not an entire department.

Mr. McCaffrey: We need an Elise LeDuc on staff.

Ms. Lincoln: Nantucket has a Coastal Coordinator. The Coastal Coordinator could report to the Community Development Coordinator.

Mr. McCaffrey: No academic program has this particular type of job.

Ms. Lincoln: In an Appendix we could list qualifications that the person would need to have and recruit a qualified individual.

Mr. McCaffrey: Mass Coastal Zone Management (CZM) probably has a description of this type of job.

Mr. Ashton: I agree we want a person. One of our biggest failings is that no one brings projects to us to work on.

Mr. McCaffrey: Town Meeting voted that the Select Board is to develop procedures that all of the Town's actions are in agreement with the Town's plans.

Ms. Freitag: Maybe we should give more of a referral to the Planning Board, Zoning Board and ConCom. Different departments can comment on how these projects fit into their plans.

Ms. Lincoln: Maybe money could be appropriated to look at how zoning regulations fit with ConCom regulations. We could hire a consultant to do that.

Mr. McCaffrey: For adopting rules and regulations for special permits. It's a start.

Ms. Lincoln: It's a misconception that ConCom can stop building in a velocity zone. We can't tell someone they can't rebuild their house.

Mr. McCaffrey: The Select Board can deny anything. They can assign work to ConCom or the Planning Board. Special use permits.

Ms. Lincoln: We don't operate under special permits – not for rebuilding family homes.

Mr. McCaffrey: The Select Board has complete authority over areas of critical concern.

Mr. Ashton: The Select Board is focused on authority. There is also political will. ConCom exists because of the WPA. They can create loop holes but that doesn't say the Select Board will do it. If you kick it back to them they may not do it.

Ms. Lincoln: We have to keep politics out of it. Some of the applicants or their representatives have said to us that a project will increase the tax base of the Town and that the increase in value of a property could be overriding the regulations.

Mr. McCaffrey: I know where all the pitfalls are. The Town needs to develop a detailed management plan.

Ms. Lincoln: It's a beach management plan. In October of 2010 a management plan was submitted to ConCom under an NOI. They do things to maintain beaches for public use, i.e. sweeping parking lots, etc.

Ms. Freitag: That was the status of the Beach Committee in 2010 – just about parking lots. Not beaches and natural resources. We need to add verbiage about natural coastlines – a nature based solution.

Mr. McCaffrey: And we need sediment studies so we can plan in the long term. It hints at it in the strategic plan. Hazard mitigation was done and adopted. They have targeted beach nourishment but we need to know the sediment movements. I sent some aerials to the members of this Committee. (They haven't been received by members as of today). We need to address restoring natural processes. It will take a lot of work.

Ms. Freitag: We need a point about that in the report.

Mr. Ashton left the meeting at 5:30 p.m.

Mr. McCaffrey: The potential sand sources are locked up. Restoring sand to the system is important. The source of sand for Menauhant Beach is not happening. Shore hardening structures are prohibiting our beaches from widening. A seawall makes it worse. There are structures where there are houses with seawalls and groins that would have much better protection with dunes. We need to make that message clear. Any comments? One idea is an inventory of shore hardening structures either permitted or not.

Ms. Lincoln: There is a CZM study about that.

Mr. McCaffrey: Did they look at the status of permitting? We need to know the status. They may not be adequately permitted. We could shift the burden to them.

Ms. Freitag: We can tell them when they come to the Town for something like a title search.

Mr. Dreyer: How many structures are we talking about?

Ms. Freitag: About a dozen.

Mr. Dreyer: That could be a recommendation – provide an inventory of hard structures and their permitting status.

Mr. McCaffrey: The CRWG report stated that all structures provide the bypass of sand. There are various ways sand can be bypassed. We have to address the issue of hardening structures. Permits have been almost required, at least by the Army Corps of Engineers.

Ms. Freitag: We could approach the Town to work on proving that hardening structures were permitted. If not, remove it.

Mr. McCaffrey: Grandfathering comes from the State. The '78 rule.

Ms. Lincoln: That's for houses.

Mr. McCaffrey: They are allowed to have structures. A special use permit would not apply to grandfathering.

Ms. Lincoln: Does the Select Board have an appetite for this?

Mr. McCaffrey: That's why it has to be put in a whole system. We can use the wording from the CRWG report – private ownership goes to the low water mark. Fishing can occur in the intertidal area. This is an additional reason why when we restrict these things, it interferes with the public's right to fishing, etc.

Ms. Lincoln: I sent you a link to an inventory of hard structures by Bourne Consulting before FEMA changed the lines. File numbers from ConCom's NOI's are at DEP. The numbers are 12 years old at this time. It lists licensing, etc. It's 300 plus pages. There is a copy in the Engineering Department. You can look it up on CZM website also. I think we should make a

blanket endorsement of recommendations 18, 19, 21, 22, 23 in the CRWG. We should eliminate #20.

Ms. Freitag: Move to endorse the sense of the CRWG report recommendations in the Appendix of the Buzzards Bay study including item numbers 18, 19, 21, 22 and 23 and not including #20 because it is already done.

Mr. Dreyer: Second.

Mr. McCaffrey: Freitag, aye; Dreyer, aye; McCaffrey, aye.

Ms. Freitag: We can start on recommendation #24 next time. A lot of them overlap with the sediment management plan. The next 10 are into sediment management.

Mr. McCaffrey: We can use the language from the grant we didn't get.

Mr. Dreyer: Have we included the input from these two studies – VA and CRWG?

Ms. Freitag: We are not doing anything with text until we are finished with this.

Mr. McCaffrey: Next time can we talk about the acquisition of coastal property?

Discuss future schedule of tasks and public outreach

VOTE MINUTES

The minutes of 12/22/2020 and 1/12/2021 be voted at the next meeting.

Mr. Dreyer: Move to adjourn.

Ms. Freitag: Second.

Mr. McCaffrey: McCaffrey, aye; Freitag, aye; Dreyer, aye. Unanimous, so moved.

The meeting adjourned at 5:52 p.m.

Respectfully submitted,

Susan Cronin, Recording Secretary