

The Coastal Resiliency Action Committee
MEETING MINUTES - Tuesday, February 11, 2020
Old Water Department, Falmouth Town Hall, 4:00 p.m.

Present: Charles McCaffrey, Chair
Jamie Mathews
Andrew Ashton
Paul Dreyer
Ed Schmitt
Jennifer Lincoln, Conservation Commission Administrator

Absent: Melissa Freitag, Vice-Chair

Also present: Doug Brown, Selectman

Mr. McCaffrey opened the meeting at 4:00 p.m.

Discuss Woods Hole Group's Vulnerability Assessment (VA) recommendations

Mr. McCaffrey: We should be looking at the recommendations, how we will deal with them and where we might have a different view. Is it final in terms of fulfilling their requirement?

Mr. Brown: I think the Committee should review it and decide if all your concerns have been considered and then send it back for changes if needed.

Mr. McCaffrey: We gave them some comments but I want to discuss the recommendations. I think there has to be more specific studies that are examples. Most of it is data – and it's broad – they picked representative areas for recommendations. Look on pg 41 – No issues with basic adaptations. This is generic policy. Avoid, Accommodate, Protect and Retreat.

Mr. Ashton: Do we have anything like the Chatham bylaw?

Ms. Lincoln: No.

Mr. McCaffrey: The Chatham bylaw is not unusual. Smithtown, NY prohibits all new development in the V and A zones. We will have to consider it in our recommendations. What are the circumstances and justification for not allowing new development in a given area?

Ms. Lincoln: Will that be a policy you want to bring up?

Mr. McCaffrey: Yes.

M. Lincoln: How does the Committee feel about it?

Mr. Brown: Has that been done before?

Mr. McCaffrey: Yes, in New York.

Ms. Lincoln: This isn't New York.

Mr. McCaffrey: I think it would be defensible because it's more a policy than political.

Ms. Lincoln: What about re-development projects?

Mr. McCaffrey: If the property is restored by reasons other than storms, i.e. the house burns down – you can rebuild. If it's a flooding related cause, the details can be worked on, but as a general concept should we be denying new develop in Velocity zones - in places where properties are likely to be destroyed in major hurricane?

Ms. Lincoln: Do we restrict re-development in a Velocity zone if the damage is more than 50% of the assessed value? There is a house on the corner of Surf Drive and Walker Street for sale that is a one story structure. Your recommendation would be that whoever purchases that property cannot redevelop it?

Mr. McCaffrey: One of most obvious areas for this is Surf Drive.

Mr. Mathews: Most of the projects that are coming in front of ConCom are redevelopment projects.

Mr. McCaffrey: Is it reasonable to say that is where development should be avoided?

Ms. Lincoln: Without hard numbers about this you can soften the recommendation to be that the Town should look at restricting development or re-development in a Velocity zone. It could be a bylaw. How do you restrict that? Would it be through current wetlands regulations or zoning regulations? You can't leave it to one Board. ConCom received a lot of feedback from the Smyth case. It has to be confronted by the public. It would have to be a bylaw.

Mr. Ashton: Who else would recommend it?

Ms. Lincoln: We would have to look at flooding patterns to determine the areas.

Mr. McCaffrey: The areas have been defined by FEMA.

Mr. Brown: If you're looking at it from sea level rise you might pick a height to start with.

Mr. McCaffrey: Building in a Velocity zone causes a public nuisance.

Mr. Ashton: This is not a climate change thing.

Mr. McCaffrey: Right. But we should identify areas where development should be avoided.

Mr. Schmitt: Why would we want to prohibit building on a certain property? If someone wants to take that risk the property would be permitted to be redeveloped with the condition that an escrow fund is set up to provide money to the Town for any clean up needed.

Mr. McCaffrey: That's one other way of doing it - posting a bond. What if it becomes a hazard itself?.

Mr. Schmitt: It makes it more expensive.

Mr. Brown: Insurance companies are pulling back their protection.

Mr. Mathews: People are self-insuring.

Mr. Ashton: There is a hidden commitment from the Town re road, utilities, etc.

Mr. McCaffrey: We should address the Town's providing access. This is an idea we should develop for consideration by the Selectmen. Let them know the various pros and cons and how you can avoid construction in some areas.

Mr. Schmitt: It's not meant to be punitive.

Mr. McCaffrey: But we must avoid areas that are frequently inundated. When there is 2-ft of water and the houses are falling apart or abandoned - the Town can't just wait for this to happen.

Mr. Brown: The Town is not sewerage in areas that are in a flood area.

Mr. McCaffrey: Some development can be allowed but it has to be amortized with the indication of when it can be damaged or inundated.

Ms. Lincoln: Give an example.

Mr. McCaffrey: For instance billboards can exist for 5 or 10 years. We don't want a structure to continue forever.

Mr. Dreyer: How many properties are in this position?

Mr. McCaffrey: Bob Shea is working on this now. He will be able to give us the number of houses in a Velocity zone and their value as well as the amount of open land in a Velocity zone. We can get a lot of this information to work with the data and model from Woods Hole Group. (WHG)

Mr. Dreyer: We need that information.

Mr. Ashton: Economics are important. We would be taking tax base away with this plan. We need more analysis to be saying no more building.

Mr. McCaffrey: Where are the alternative areas for housing? How much area is available west and south for building? Undeveloped residential zoned land is zoned at 1 acre. In shore areas it is 1/8 of an acre. It needs a lot of thought. We should be acquiring that type of land and exchanging it for water properties.

Ms. Lincoln: We can make a recommendation from the VA on infrastructure. It will take time to develop with other Town agencies.

Mr. Brown: There are 4 choices on page 41. Currently undeveloped land that will be permanently flooded could be developed before but not any longer.

Mr. Mathews: Take an area inundated with sea level rise and the house is permanently destroyed.

Mr. Brown: You can keep it for a certain amount of time and then no longer.

Mr. McCaffrey: For instance, as of 2030 we will no longer maintain this type of structure in this area. Within 5 years it will be flooded.

Ms. Lincoln: Going to a certain sea level benchmark is problematic from a resource area protection. People will be armoring their homes and then we will have unintended consequences to the wetland resources. Damage is already done by people trying to protect their properties. The Town won't protect the road anymore. They will have to raise the road or build a bridge. The Town can't afford it.

Mr. Mathews: The Town put a vote in front of people and they didn't vote to fix the road along Great Bay and it significantly altered the bank. It's my understanding that Town meeting voted the funding down.

Mr. Ashton: If it's an erosion problem there is a natural process.

Ms. Lincoln: In areas of salt marsh there is no erosion.

Mr. Ashton: It's important to manage our coastal resources now. Climate change and sea level rise will make it all worse.

Mr. McCaffrey: There are certain flooding issues that do not stem from a storm cause. A few minor things can be done in the near term, but in the long term it's not sustainable.

Ms. Lincoln: Do you want to adopt the recommendations? As for the sewer lift station Amy Lowell will make that determination when it is necessary.

Mr. Schmitt: Has the Steamship Authority put in a new lift station for their properties?

Ms. Lincoln: I don't believe so.

Mr. McCaffrey: Sewers and septic systems are not viable.

Mr. Ashton: It is already difficult to pump sewers.

Ms. Lincoln: Especially in areas where water is always a problem – New Silver, etc.

Mr. Ashton: I disapprove of the recommendation re Waquoit Bay and Washburn Island on page 75. Something will have to be done to a certain area on Washburn Island, but the natural area should be left alone. Something has to be done for the built areas near there - how it interacts with the yacht club – but by itself it is not in danger. Washburn will continue to exist on its own. We shouldn't manage a fully natural area.

Ms. Lincoln: They want to dredge part of Washburn Island.

Mr. Ashton: We could consider that, but to say we should do something to protect the barrier itself is not necessary.

Ms. Lincoln: We should just leave Washburn Island alone. There are a number of recommendations on certain structures. For instance – the Old Dock Road dock on page 48. King tides go over it now.

Mr. McCaffrey: We should think about changing the road..

Ms. Lincoln: It's an area that does flood.

Mr. McCaffrey: We could raise the road but that affects access. Reread the recommendations and see what concerns you have and see if you want a different recommendation or don't like the recommendation. Maybe we need a regional, broader recommendation. One hypothetical in looking at Woods Hole it that access to Eel Pond would be closed off and changed to the west. (Page 88) There is a sea level rise map on Woods Hole and there will be significant inundation north of Eel Pond. Access would be from Buzzards Bay not Vineyard Sound. (Page 90). Flooding will get worse.

Mr. Ashton: The recommendation is fine but whether it will happen is another question.

Mr. McCaffrey: If we agree with it and the Selectmen agree with it - how do we make it happen? There is a recommendation about Town Hall - building a berm. But they didn't consider extending the berm to the east which could protect all of Main St.

Ms. Lincoln: We can touch on this report in our recommendations to the Selectmen, but we have to go beyond it. This report was specific to Town assets.

Mr. Schmitt: Protecting Town Hall may mean a major step has to be taken. They may have to plan on repositioning Town Hall. Perhaps we need a Town center which will include the fire and police stations, etc. on high ground. The Town will need to find an area.

Mr. McCaffrey: The berm is not a temporary solution. The Town could move Town Hall but not all of Main St. A berm could be good until 2100 if properly designed.

Mr. Dreyer: If we want to make corrections in the report, can we have WHG do that. Would they provide additional training for GIS staff? Perhaps a contract extension?

Ms. Lincoln: We are not doing that. They are working with Bob on that right now. WHG is supplying that.

Mr. Dreyer: Can they update changes? We need training of Town personnel. How do you manipulate the model?

Ms. Lincoln: Bob is not the manipulator. They are providing that information to Bob in a format that the Town will be able to use going forward. There will be a range to look at and then pick a certain point in a zone. It will be acceptable for planning purposes. We will have the information if we need to look at an area in depth.

Mr. Dreyer: We need that sooner rather than later.

Ms. Lincoln: We will have it soon.

Mr. McCaffrey: Bob knows the type of data we want. We need to know the value of development that is at risk – is it 50 to 100% inundated. We need sea level rise, etc. data about non-Town assets.

Ms. Lincoln: We're getting bogged down on minutiae in the report.

Mr. McCaffrey: I did an outline on the presentation of the report.

Mr. Mathews: We need clarification on the recommendations re Washburn Island. Will we leave their recommendation in place and then put ours in or would they amend them? Are we going to rescind their recommendation?

Ms. Lincoln: I don't think it's necessary.

Mr. Mathews: At some subsequent meeting we will give our recommendation?

Mr. McCaffrey: We should be coming up with policy recommendations. There are some policies in the strategic plans from the Coastal Zone Management report. Several policies relate to coastal storms. What are the effective ones? We need to get the Town to consider adopting something that is based on State policies. We could take NY policies and adapt them to other areas. They could be used to make recommendations to the Planning Board. They could be more helpful.

Mr. Brown: We are waiting for permits to do the Surf Drive bike path bridge. The DPW needs to use bigger boulders not small stones and they are getting push back.

Mr. Ashton: Then it becomes a sea wall.

Mr. Brown: But if not, we'll end up going back and redoing it. We need a recommendation like that to the State. Some places are worth armoring with sea walls.

Ms. Lincoln: From a local standpoint the Town has protected the bike path.

Mr. Brown: It's worth a mention.

Mr. Ashton: We need a long term plan for the bike path.

Ms. Lincoln: I think the Town has been looking at that but gets backlash from one of the State departments.

Mr. McCaffrey: We can look at the Southampton and Smithtown reports as an example of how to do the report.

Ms. Lincoln: What recommendations would you like to give to the Selectmen? We need something this Committee can vote on. I like the policy ideas in the Southampton report. It gives you more of a jumping off point.

Mr. Dreyer: We need to engage WHOI and MBL re Town assets in Woods Hole. Are we going to reach out to them?

Mr. McCaffrey: It should be done.

Mr. Dreyer: Particularly for developing recommendations. We should engage them in a more formal way than we have. They may be thinking of things that will be helpful to us.

Mr. McCaffrey: I spoke to someone who is interested in talking about these things.

Ms. Lincoln: WHOI, MBL etc are taking care of their concerns.

Mr. McCaffrey: MBL has many options.

Mr. Dreyer: We just need to have a dialogue with them so we know what they're doing.

Mr. McCaffrey: I'll try to set up a meeting. We should be taking action items in this report and talking about some of the generics, i.e. road raising in many areas. The DPW could begin to look at priorities of raising roads and the timing for it. That's an action item.

Ms. Lincoln: How do you recommend moving forward with this Committee?

Mr. McCaffrey: We'll have to talk about that.

Ms. Lincoln: I think you have momentum.

Mr. McCaffrey: Some of the recommendations would be specific charges for the Committee - near term and long term sediment issues, role of hard structures on public beaches and private beaches and the need to get sand moving in the system.

Mr. Schmitt: Sand is moving on Old Silver – half the sand is gone.

Mr. McCaffrey: The Dunes are gradually building up along Moses Road to the inlet. Every storm we see lots of sand on the road and they get rid of it. That would build up the barrier beach.

Ms. Lincoln: They are nourished from dredge material. The locations are determined by what is available, i.e. the County Dredge. Greg Fraser has told you the constraints around dredging. They are nourished from dredge material.

Discuss recommendations from Board of Selectmen’s Strategic Plan, Local Comprehensive Plan, Coastal Resources Working Group reports and Southampton Coastal Resources & Water Protection Plan (flooding & erosion section).

Town Meeting presentation on achievements

Mr. Dreyer presented a comprehensive draft for Town Meeting including 4 slides.

Mr. McCaffrey: Perhaps we can get two presentations in.

Mr. Dreyer: We need more information from Jen for this.

Ms. Lincoln: I will do get that for you.

Discuss potential MVP Action & CZM Coastal Resiliency grant ideas.

Ms. Lincoln: We need to continue to identify projects for grants, etc.

Mr. McCaffrey: We will make an application for this round. Which one I don’t know, however. Maybe we’ll ask for one of the construction grants.

Ms. Lincoln: We have to do a design first.

Mr. McCaffrey: Which one of the WHG recommendations might make sense for this round of grants?

Mr. Dreyer: We should have a joint meeting with the Planning Board - talking about what we are planning to do and they will have to implement in the future.

Ms. Lincoln: We have to start drilling down on what the recommendations should be. Be prepared at the next meeting.

Mr. McCaffrey: We need to talk about policy recommendations and legal recommendations.

Ms. Lincoln: What categories?

Mr. McCaffrey: Policies – law, education, action studies, administrative staffing, committees, action, identify projects for implementation and for grants.

Menauhant beach area status report – bridge, beach, groin.

Ms. Lincoln: The bridge project has to have an extension so they will need to come to ConCom and the State again because of the appeal of abutters. They don’t want the bridge project because the dunes are going to reflect storms onto their property. The bridge project is permitted. As far as the project re beach nourishment and the groins - I haven’t seen it yet. The Board did allow the beach nourishment to be done. I can’t do anything about it until I see it. I have met with John Ramsey, Peter McConarty and John McLoughlin to see what we can do.

Mr. Dreyer: Is he preparing an additional report?

Ms. Lincoln: I met with John Ramsey in January.

Mr. Dreyer: The contract is with the Engineering Department.

Ms. Lincoln: The original contract is with engineering not ConCom. He is now working on the engineering and design aspects of that project.

Surf Drive Planning project

The 3rd meeting for the Surf Drive planning study is on Feb 27th at 1 p.m. here. It’s not a public meeting, it’s a steering committee meeting.

The next meeting is on Feb 25th.

Mr. Mathews: Move to adjourn.

Mr. Ashton: Second.

Mr. McCaffrey: Unanimous, so moved.

The meeting adjourned at 6:00 p.m.

Respectfully submitted,

Susan Cronin, Recording Secretary