

The Coastal Resiliency Action Committee  
**MEETING MINUTES - TUESDAY, FEBRUARY 25, 2020**  
Selectmen's Meeting Room, Falmouth Town Hall, 4:00 p.m.

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

Absent: Ed Schmitt

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

**Review suggested recommendations for report to Board of Selectmen.**

Mr. McCaffrey: I said I would come back with policy recommendations.

Mr. Mathews: We talked about administrative action, legal policies and education.

Mr. McCaffrey: We have recommendations to advance. For policies I looked at the State enforcement policy on coastal hazards:

Ms. Freitag: Can we look at the information before we move on?

Mr. McCaffrey: Should we draft anything on recommendations?

Mr. Mathews: Is it limited to Town assets?

Mr. McCaffrey: No.

Ms. Lincoln: Can we carry this over to the next meeting. I talked to Elise LeDuc based on the Vulnerability Assessment (VA) and this group's desire to have more community focus. They did a similar thing for the Town of Wareham and conducted public meetings. There are two ways to go about this - risk to roads that may not be a critical asset – they can highlight that information or can look at parcel data – we can't say the house will flood but parcel may. They can expand the addendum to the VA and see what kind of community presentations they can put on. From a GIS standpoint it's hard to put all this information together.

Mr. McCaffrey: We know that there is a 100% risk of flooding in 2070. We don't know the number of parcels that will flood. There are 1922 structures which includes all of the ones over 300-sq.ft

Ms. Lincoln: We should start with West Falmouth first and will get into parcels not structures.

Ms. Freitag: There are 1795 parcels.

Mr. Ashton: In which area?

Ms. Lincoln: The whole Town.

Mr. McCaffrey: There is \$786 million in assessed value today with 100% risk of flooding.

Ms. Freitag: Does that include Town Hall?

Mr. McCaffrey: Yes. It's a gross number. In the current day there are 691 structures with \$300 million assessed value.

Ms. Freitag: That does not include roads and bridges?

Mr. McCaffrey: No it does not.

Ms. Freitag: It's an over 100% increase by 2070.

Mr. McCaffrey: Yes. I had Bob look at the 1% risk. Woods Hole Group (WHG) as compared to FEMA - 1% risk of flooding is smaller than FEMA. There are 692 structures in the V zone worth \$375 million.

Ms. Lincoln: We might include the Research Institutions in the WHG report – the 375 figure might include Woods Hole.

Mr. McCaffrey: Bob can use WHG to break it down from town-wide data.

Ms. Lincoln: I'll send you what they did for Wareham.

Ms. Freitag: Can we add to the contract?

Ms. Lincoln: Yes. Examples from Wareham: they did 20 separate community meetings with a focus on critical assets – roads may not reach that. They can pull up that information for different communities and also parcels. There are two proposals with two different cost estimates.

Mr. McCaffrey: We'll work with Bob a little bit too.

Ms. Lincoln: We do want to know what individual communities we are looking at.

Mr. McCaffrey: I believe we broke it down by pond or series of ponds.

Ms. Freitag: We were at 18 different areas: (North Falmouth, Megansett, Wild Harbor, Old Silver to Little Island, West Falmouth - Chappy to Quisset, Trunk River, Falmouth Harbor to Green Pond to Eel Pond including Menauhant, Woods Hole, Falmouth Central and Ponds).

Mr. McCaffrey: The transect lines on the map need to be closed.

Ms. Lincoln: Would you like one large map or 6 individual maps?

Mr. Dreyer: Individual ones.

Ms. Lincoln: What areas of Town should I give to Elise?

Mr. Dreyer: We should have another public hearing re West Falmouth. Do we have a target date?

Ms. Lincoln: We will need a proposal from WHG and a contract signed and then we can set a date.

Mr. Ashton: Are we trying to do all of them together?

Mr. Dreyer: We should be doing at least one more community meeting and maybe two.

Ms. Lincoln: Elise will be letting me know what they are able to do for us.

Ms. Freitag: It should be something like the Surf Drive meeting.

Ms. Lincoln: Yes. We might not get it before Town meeting, but maybe before May.

Ms. Freitag: We should recommend that we continue this Committee.

Mr. Dreyer: It's important to do West Falmouth. It's a critical area and we need to do it as soon as possible.

Mr. McCaffrey: We might adapt the State policies to Falmouth

Mr. Mathews: We should review them and see what we want to carry over.

Mr. McCaffrey: Yes. On the last 2 pages there are 4 areas of legal changes.

Ms. Freitag: Posting a bond, setting up an escrow account?

Mr. McCaffrey: If the flooding is not going to happen for 30 years is it appropriate to tell them they can't build there?

Ms. Freitag: Are there rules restricting the percentage of impervious surface covering a parcel?

Mr. Ashton: Yes.

Mr. McCaffrey: The new storm water regulations have more information on that.

Ms. Freitag: We are developing it under the parcels that will be flooded within X numbers of years. The Town should preserve an area in general and create a vigorous policy toward acquiring the still open land.

Mr. McCaffrey: If the problem is in 30 to 50 years – how can we say no today? We can say yes, but for a limited time.

Mr. Mathews: It's easier to acquire if it's undeveloped land.

Mr. McCaffrey: For us to make recommendations it will take more thought and conversation with agencies. We need to get the scope of the issues and come back and discuss the pros and cons.

Ms. Lincoln: When you say agencies – what do you mean?

Mr. McCaffrey: All the departments.

Mr. Dreyer: How do you evaluate the effects?

Mr. McCaffrey: It's how the State reviews all its policies.

Mr. Dreyer: Once you evaluate what do you do about it?

Ms. Lincoln: Policy vs regulations.

Ms. Freitag: If you want to build a subdivision? Add one step – what will sea level be in 20 or 50 years.

Mr. Ashton: Check the future map.

Ms. Lincoln: In the Conservation Commission there are certain regulations that are upheld by law based on FEMA regulations. In order for ConCom to hold for the future it has to be a regulation – unless it's written into a regulation it can't be done. We would have to let them know that their property is going to be inundated in a certain amount of time. But there has to be a regulation behind it.

Mr. McCaffrey: The Selectmen could adopt a regulation.

Ms. Lincoln: Yes.

Mr. McCaffrey: In certain regulations there are special use permits – sections that need to be amended.

Ms. Freitag: It takes a lot of political will to implement. However, now we have more science.

Mr. McCaffrey: We can add some specifics.

Mr. Ashton: We can define what we are and what is coastal resiliency? What community coastal resiliency is?

Mr. McCaffrey: The State is focused on hazards. There are not hazards if the area is not developed. There may be 4 or 5 areas that suggest legal action.

Mr. Ashton: It's a good idea to have general ideas as well as specific.

Mr. McCaffrey: We can start off with recommendations. I identified 5 study areas to pursue and I thought we could divide them up among us.

Mr. Dreyer: Will you assign us to certain areas? Andrew should handle the modeling. If we assign certain areas it would be better.

Mr. McCaffrey: There is an outline of the whole report where specific assignments could be parceled out.

Mr. Dreyer: We only have 3 months.

Mr. McCaffrey: Law is my background.

Ms. Lincoln: Should we be using the #13 or the #6. There are not 13 on the map downstairs.

Ms. Freitag: I think 6 is more attainable and more reachable.

Mr. Mathews: Even 6 is a lot. Down the road we can do more. Wareham is also a larger area.

Ms. Lincoln: We can always break it out into smaller areas. We are having our final Surf Drive meeting on Thursday.

Mr. Mathews: It's more for department heads. Not open to public?

Ms. Lincoln: No.

Mr. McCaffrey: We need more information on our natural system. We need to fine tune our analysis and implement the town assessment. From a planning prospective property goes to the low water mark – when it’s behind your house – what does that mean? Need a clearer understanding of how property changes with inundation?

Ms. Freitag: What if it’s based on the mean low water mark?

Ms. Lincoln: If the property erodes you lose.

Ms. Freitag: But if it’s under water on stilts – someday water will be there permanently – what happens? Who owns the land?

Mr. McCaffrey: The Conservation Law Foundation wrote on that and Jen will send a copy out to the members.

Ms. Freitag: You can’t control the tide – what happens?

Mr. McCaffrey: We need to do this type of research.

Ms. Freitag: Maybe the Town has to pay to elevate the road.

Mr. McCaffrey: We need some plans for major areas like Davis Straits.

Ms. Lincoln: WHG did two designs – two options based on current and future development (conceptual design).

Mr. McCaffrey: In the VA report there is a berm to protect Town Hall. Should it be extended to protect Main Street or do we do another parallel road?

Mr. Dreyer: We need to identify what to do. Then it’s on the people in charge.

Mr. McCaffrey: Is the rationale 2050 or 2070 development? It’s the future development that has to be resilient as well as the present.

Ms. Lincoln: Who sets the building code?

Mr. Mathews: Zoning does. The State has addendums as to international codes.

Ms. Lincoln: Does any Town have an addendum?

Mr. Mathews: The State would have them. Anything can get incorporated into the zoning code.

Mr. Dreyer: Should we consider the transfer of development rights?

Mr. McCaffrey: It’s under administrative actions # 3.

Mr. Dreyer: It’s one of the studies that has to be looked at. It might ease the pain. We should address it.

Mr. McCaffrey: The study area can be extended.

Mr. Mathews: Maybe we should create a bylaw vs a regulation.

Ms. Lincoln: In the Coastal Resiliency Working Group (CRWG) report they recommend that a Committee continue

Mr. Mathews: For the next phase.

Mr. Mathews: If it just ends who takes these actions?

Ms. Lincoln: How many Committees are in Town?

Mr. McCaffrey: 80 +

Mr. Mathews: We need some community involvement.

Ms. Freitag: It should be an interdepartmental Committee. We need the Committee to continue. Things are only going to get worse.

Mr. Mathews: It’s a priority. We must have some specific recommendations.

Ms. Freitag: We must write the verbiage about continuing the Committee into our report.

Mr. McCaffrey: And perhaps add a professional dedicated staff.

Ms. Lincoln: That’s a concept that was brought up by Jeff Williams and Steve Patterson. The Town departments will discuss it at our strategic retreat. It has traction.

Mr. Dreyer: I recommend we have a working group session between this Committee and the Selectmen.

Ms. Lincoln: That's a good idea.

Mr. Dreyer: I'm thinking it should be after the report is made.

Ms. Freitag: If we're not continued we can't do it after.

Mr. Dreyer: There should be a specific meeting between this Committee and the Selectmen.

Mr. McCaffrey: The 3<sup>rd</sup> bullet under Administrative Actions is going to cost money.

Mr. Mathews: It also goes into laws and regulations.

Mr. McCaffrey: There will be substantial State money for this. I added to education the need for good graphics - how can we get them? Virtual reality – how it would look if we did all these things?

Mr. Dreyer: I suggested to Selectmen that they consider a high school student as a non-voting member of the Board. Maybe some kind of engagement or program with the High School would help.

Mr. Mathews: Could Americorp help?

Ms. Freitag: An AP science or computer student would be good.

Mr. Dreyer: It could be a Falmouth Academy student also. One of the actions could be to reach out to high school students.

Mr. Mathews: A high school student or Americorp?

Mr. McCaffrey: We need to list places identified in the WHG report.

Ms. Lincoln: Also include the draft from the Surf Drive Study.

Ms. Freitag: And some actions from CRWG.

Mr. Mathews: Take some of the older stuff and make sure it's incorporated.

Mr. McCaffrey: I agree on a set of policies to be drawn – we would note where they came from.

Ms. Freitag: The VA was a recommendation of CRWG.

Mr. McCaffrey: The draft will need rationale and expansion. We will look at this and the State's policies.

### **Town Meeting presentation on achievements.**

Ms. Lincoln: We have 3 additional meetings before Town Meeting.

Mr. Mathews: We can discuss the presentation at one meeting.

Mr. Dreyer: It should include 3 or 4 slides and last 5 minutes or less.

Mr. McCaffrey: We can include the VA slides.

Ms. Lincoln: We will carry this over to the next meeting.

### **Discuss potential MVP Action & CZM Coastal Resiliency grant ideas.**

Ms. Lincoln: I expect to hear about the grants by the end of April. We can discuss what we want to get out of the study and talk about it at the next meeting. Every year of the MVP you have to submit a report to the State in order to maintain certification and it's a good way to keep the Committee going. How are you implementing the priorities? That has to be stressed. We did one last year. The certification allows you to apply for MVP action grants accessibility.

Mr. McCaffrey: They are working on funding to do multi-year projects.

## **VOTE MINUTES**

2/11/2020

Mr. Mathews: Move to adopt the minutes as written.

Mr. Dreyer: Second.

Mr. McCaffrey: 4 yes. Ms. Freitag recused. The motion is passed.

Mr. Mathews: Move to adjourn.

Ms. Freitag: Second.

Mr. McCaffrey: Unanimous, so moved.

The meeting adjourned at 5:40 p.m.

Respectfully submitted,

Susan Cronin, Recording Secretary