



MEETING POSTING

TOWN OF NANTUCKET

Pursuant to MGL Chapter 30A, § 18-25

All meeting notices and agenda must be filed and time stamped with the Town Clerk's Office and posted at least 48 hours prior to the meeting (excluding Saturdays, Sundays and Holidays)

Committee/Board/s

Coastal Resiliency Advisory Committee

Day, Date, and Time

Tuesday August 11th at 10.00am

Location / Address

□
REMOTE PARTICIPATION VIA ZOOM See below.
Pursuant to Governor Baker's March 12, 2020 Order Regarding Open Meeting Law (Attached); the meeting will be aired at a later time on the Town's Government TV YouTube Channel <https://www.youtube.com/channel/UC-sgxAlfdoxteLNzRAUHixA>

Signature of Chair or Authorized Person

Mary Longacre, Chair
Vincent Murphy, Coastal Resiliency Coordinator

WARNING:

IF THERE IS NO QUORUM OF MEMBERS PRESENT, OR IF MEETING POSTING IS NOT IN COMPLIANCE WITH THE OML STATUTE, NO MEETING MAY BE HELD!

Coastal Resiliency Advisory Committee

Agenda for Tuesday August 11th, 2020 from 10.00 AM to 12.00 PM

A. Convene in Open Session via Zoom

Join Zoom Meeting

<https://zoom.us/j/92031321278?pwd=TG5ESVVjaXpuYXl3SGYwdjlWd2NMZz09>

Meeting ID: 920 3132 1278

Passcode: 687635

1. Call to Order

2. Announcement

- a. Script for remotely conducting Open Meetings, read by Mary
- b. The meeting is being audio / visually recorded

3. Approval of minutes from July 14 & July 28.

4. Committee discussion

- a. Set meeting schedule through December 2020
 - b. Follow-up on presentation of recommendation to Select Board
 - i. Advisory committee of Non-Voting Tax Payers resolution
 - c. CRAC annual report from July 2019 to June 2020 and discuss goals for report
 - d. Review of Education materials
 - i. Massachusetts Homeowner's Handbook to Prepare for Coastal Hazards (3rd Edition 2020)
<https://www.mass.gov/doc/homeowners-handbook-to-prepare-for-coastal-hazards/download>
- 5.** Public comment
 - 6.** Committee report (Planning Board, Conservation Commission, Harbor and Shellfish Advisory Board, Select Board, Advisory Committee of Non-Voting Tax Payers, other committee members)
 - 7.** 11 am conversation with R. P. Eddy (see notes attached)
 - 10.** Motion to adjourn



OFFICE OF THE GOVERNOR
COMMONWEALTH OF MASSACHUSETTS
STATE HOUSE • BOSTON, MA 02133
(617) 725-4000

CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

**ORDER SUSPENDING CERTAIN PROVISIONS
OF THE OPEN MEETING LAW, G. L. c. 30A, § 20**

WHEREAS, on March 10, 2020, I, Charles D. Baker, Governor of the Commonwealth of Massachusetts, acting pursuant to the powers provided by Chapter 639 of the Acts of 1950 and Section 2A of Chapter 17 of the General Laws, declared that there now exists in the Commonwealth of Massachusetts a state of emergency due to the outbreak of the 2019 novel Coronavirus (“COVID-19”); and

WHEREAS, many important functions of State and Local Government are executed by “public bodies,” as that term is defined in G. L. c. 30A, § 18, in meetings that are open to the public, consistent with the requirements of law and sound public policy and in order to ensure active public engagement with, contribution to, and oversight of the functions of government; and

WHEREAS, both the Federal Centers for Disease Control and Prevention (“CDC”) and the Massachusetts Department of Public Health (“DPH”) have advised residents to take extra measures to put distance between themselves and other people to further reduce the risk of being exposed to COVID-19. Additionally, the CDC and DPH have advised high-risk individuals, including people over the age of 60, anyone with underlying health conditions or a weakened immune system, and pregnant women, to avoid large gatherings.

WHEREAS, sections 7, 8, and 8A of Chapter 639 of the Acts of 1950 authorize the Governor, during the effective period of a declared emergency, to exercise authority over public assemblages as necessary to protect the health and safety of persons; and

WHEREAS, low-cost telephone, social media, and other internet-based technologies are currently available that will permit the convening of a public body through virtual means and allow real-time public access to the activities of the public body; and

WHEREAS section 20 of chapter 30A and implementing regulations issued by the Attorney General currently authorize remote participation by members of a public body, subject to certain limitations;

NOW THEREFORE, I hereby order the following:

(1) A public body, as defined in section 18 of chapter 30A of the General Laws, is hereby relieved from the requirement of section 20 of chapter 30A that it conduct its meetings in a public place that is open and physically accessible to the public, provided that the public body makes provision to ensure public access to the deliberations of the public body for interested members of the public through adequate, alternative means.

Adequate, alternative means of public access shall mean measures that provide transparency and permit timely and effective public access to the deliberations of the public body. Such means may include, without limitation, providing public access through telephone, internet, or satellite enabled audio or video conferencing or any other technology that enables the public to clearly follow the proceedings of the public body while those activities are occurring. Where allowance for active, real-time participation by members of the public is a specific requirement of a general or special law or regulation, or a local ordinance or by-law, pursuant to which the proceeding is conducted, any alternative means of public access must provide for such participation.

A municipal public body that for reasons of economic hardship and despite best efforts is unable to provide alternative means of public access that will enable the public to follow the proceedings of the municipal public body as those activities are occurring in real time may instead post on its municipal website a full and complete transcript, recording, or other comprehensive record of the proceedings as soon as practicable upon conclusion of the proceedings. This paragraph shall not apply to proceedings that are conducted pursuant to a general or special law or regulation, or a local ordinance or by-law, that requires allowance for active participation by members of the public.

A public body must offer its selected alternative means of access to its proceedings without subscription, toll, or similar charge to the public.

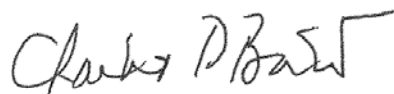
(2) Public bodies are hereby authorized to allow remote participation by all members in any meeting of the public body. The requirement that a quorum of the body and the chair be physically present at a specified meeting location, as provided in G. L. c. 30A, § 20(d) and in 940 CMR 29.10(4)(b), is hereby suspended.

(3) A public body that elects to conduct its proceedings under the relief provided in sections (1) or (2) above shall ensure that any party entitled or required to appear before it shall be able to do so through remote means, as if the party were a member of the public body and participating remotely as provided in section (2).

(4) All other provisions of sections 18 to 25 of chapter 30A and the Attorney General's implementing regulations shall otherwise remain unchanged and fully applicable to the activities of public bodies.

This Order is effective immediately and shall remain in effect until rescinded or until the State of Emergency is terminated, whichever happens first.

Given in Boston at 8:40 PM this 12th day of
March, two thousand and twenty.

A handwritten signature in black ink, appearing to read "Charles D. Baker". The signature is written in a cursive style with a horizontal line underneath it.

CHARLES D. BAKER
GOVERNOR
Commonwealth of Massachusetts

Coastal Resilience Advisory Committee report from July 1, 2019 to June 30, 2020.

The nine-member Coastal Resilience Advisory Committee (CRAC) was established by the Select Board in 2019 and held its first meeting on July 27, 2019. Six seats are selected from other Town Boards Commissions, and Committees, one from the Island's largest landowning organization, and three are at-large members of the public. Initial members were Gary Beller (Advisory Committee of Non-voting Taxpayers), Dr. Sarah Bois (at large), Peter Brace (Harbor and Shellfish Advisory Committee, CRAC Vice-Chair), Graeme Durovich (at large), Kristie Ferrantella (Select Board), Dr. Jennifer Karberg (Nantucket Conservation Foundation), Dave LaFleur (Conservation Commission), Mary Longacre (at large, CRAC Chair) and Fritz McLure (Planning Board, CRAC Secretary). Matt Fee became the Select Board representative in October 2019 and Ian Golding became the Conservation Commission representative in November 2019.

The CRAC's main accomplishment was writing a Request for Proposals (RFP) for a Coastal Resilience Plan (CRP). This was jointly drafted by Vince Murphy, the Town's Coastal Resilience Coordinator (CRC), and the Coastal Resilience Advisory Committee (CRAC). It was posted from May 26 to June 30, 2020.

As the CRAC discussed timelines for the delivery of the CRP, they were concerned that any potential Town construction projects in that period would not take Sea Level Rise (SLR) into account. The CRAC developed an interim recommendation to the Select Board (SB) that would require use of a specific SLR scenario when planning projects:

"The CRAC recommends all Town Departments, Boards, Commissions and Committees and any service providers, contracted engineers and consultants need to be aware of and need to use the NOAA "High" scenario to accommodate current storm surge as well as Sea Level Rise in their decisions, deliberations and planning. These data are periodically updated by NOAA and will be posted on the CRAC page on the Town's website."

The CRAC developed a Coastal Resilience library that is available on the Town website <https://www.nantucket-ma.gov/1522/Coastal-Resilience-Library> This is a resource for CRAC members and also for the public to familiarize themselves with Coastal Resilience. This contains information about coastal resilience, Town documents and presentation from guest speakers to CRAC. Also in the library is a "Coastal Risk Assessment & Resilience Strategies" report the Town received from consultants Malone & McBroom in January, 2020. This is a reference document for CRAC and for the general public.

The CRAC formed an Education sub-committee chaired by Dr Sarah Bois with members Graeme Durovich, Vice-Chair, and Mary Longacre, Secretary, to discuss producing educational materials for homeowners. They are also considering working with schools to bring coastal resilience education to the classroom.

In the next fiscal year, the CRAC looks forward to seeing the SB adopt their interim recommendation; beginning work on the CRP after a consultant is awarded a contract, including public engagement in the process; and continuing to provide information regarding the risks of sea level rise.

CRAC meetings from December 3, 2019 to present are available for viewing on the Town's YouTube channel.

ADVISORY COMMITTEE OF NON-VOTING TAXPAYERS

Town of Nantucket Select Board
16 Broad Street
Nantucket, MA 02554

July 30, 2020

Dear Select Board Member,

At the July 25 meeting of the Advisory Committee of Non-Voting Taxpayers (ACNVT) the Committee was updated on the work of the Coastal Resiliency Advisory Committee (CRAC) including reference to the proposal that was recently presented by it to the Select Board at its meeting of July 15. No action was taken by the Select Board on the proposal at that meeting; it was tabled for further review. The intent of the proposal by CRAC was to have some assurance that various Nantucket regulatory boards and commissions take into consideration rising sea levels and tidal changes in their decision making process. Since the final Coastal Resiliency Plan is unlikely to be completed and adopted until late 2021 or perhaps even spring 2022, action now is vital. With all of the construction and developmental activity underway on the Island at this time and likely to accelerate once the limitations of the pandemic are behind us, the ACNVT believes there should be no further delay in putting into place an interim policy in substance, similar to that which CRAC has proposed. The ACNVT members approved the following resolution:

Resolved: The ACNVT endorses the substance of the proposal that CRAC brought before the Select Board at its July 25, 2020 meeting. ACNVT further urges the Select Board to promptly put in place a policy that will facilitate the consideration of Sea Level Rise and Storm Surge by the Town's regulatory bodies in their review of developmental and permit applications in this interim period prior to the completion of the Town's Coastal Resiliency Plan.

The ACNVT understands that the current building codes do not take into account the latest NOAA Storm Surge scenarios, and that the Town's regulatory bodies do not have legal authority to enforce rules or regulations in excess of the codes. However, the public relies on the Town to have codes and regulations that are designed to protect public health and safety. Until such time as the codes are amended to take into account new information regarding storm surge, the Town should ensure that those seeking permits in areas of the Town that are deemed to be subject to storm surge are aware of the latest scenarios before they build so that they may take that risk into account.

Gary Beller
Chair, ACNVT

Email from Mary Longacre (Chair) to R. P. Eddy staff

I'm allocating up to 20 minutes for RP to open the discussion by addressing the questions below, leaving 40 minutes for follow-up and other questions.

I would be happy to provide any other information that might be helpful in advance of next week's meeting.

The Coastal Resilience Advisory Committee (CRAC) was established by the Select Board in 2019 and held its first meeting on July 27, 2019. Six seats are selected from other Town Boards, Commissions, and Committees, one from the Island's largest landowning organization, and three are at-large members of the public.

The Town of Nantucket is in the process of selecting a consulting firm to develop an island-wide Coastal Resilience Plan (CRP). The CRAC is presenting an interim recommendation to the Select Board to be effective for approximately 18 months until the Coastal Resilience plan is created. The recommendation will instruct all Town Departments, Boards, Commissions, Committees, and vendors to consider sea level rise as they plan or review projects, but the recommendation will not dictate specific requirements. It simply inserts sea level rise into the planning conversations with the hope that people will include resilience measures.

See the Coastal Resilience Advisory Committee webpage for a listing of the Committee members and the Committee's mission & purpose statements:

<https://nantucket-ma.gov/1391/Coastal-Resiliency-Advisory-Committee>

Recordings of recent CRAC meetings can be viewed on the Town's YouTube channel if desired (agendas and minutes are available on the Committee's webpage):

https://www.youtube.com/playlist?list=PL49sKqpy7VAiUk-g5h2jJuAn_2jqocI2L

Nantucket has been preparing for the Coastal Resiliency Plan for the last several years by holding public forums and developing a Hazard Mitigation plan. The Town is currently working with a consulting group to develop a 'Resilient Nantucket' plan to devise strategies to protect the core historic downtown area. One group created a LIDAR-based visualization of what the waterfront areas may look like with up to 8 feet of sea level rise: <https://youtu.be/KV4alrii1JI>. See www.resilientack.org for more information on these projects.

There are several private organizations promoting resiliency and sustainability on the island as well several non-profits with a science-based & conservation focus.

QUESTIONS SUBMITTED FOR INITIAL DISCUSSION (feel free to combine answers)

- The Federal & State Covid-19 crisis response demonstrates the necessity of 'getting it right the first time' to mitigate the severity of the crisis. What can we learn from the Covid-19 crisis to apply to our coastal resilience response?
- Communities tend to be reactionary, preferring to respond to a catastrophe rather than put future planning in place, and there are a number of reasons for that. A big one in our community is that there is always an immediate need for funds for projects TODAY so the concept of spending funds to prevent something TOMORROW is hard to grasp. What are some of the effective techniques to working within a community to push forward-thinking planning, particularly when resources may be limited?
- With the added municipal costs of the pandemic response, coupled with the financial stress on island residents being out of work or with their business down due to the pandemic, finding the political will to allocate money to build out coastal resilience projects could be challenging. What suggestions can you offer to help us communicate effectively to build support for coastal resilience projects, especially to those who would bear the cost of those projects?

- When objections are fear-based, how do we develop an effective counter-argument? One objection is “We don’t want to scare people (or restrict building) because the property values will crash, which will reduce tax revenue and wreck the construction and real estate industries.”
- [With its Town Meeting form of governance,] Nantucket is the definition of participatory democracy which means the community has a very active voice in decisions that impact the entire island, including project planning and spending. Additionally, Nantucket as a community is fairly adverse to change. What are good methods for moving a community from change-resistant to change-accepting, particularly when the community voice is key to implementing any changes on the ground?
- What political or emotional skills are important to develop to be able to communicate the sense of urgency around preparations for sea level rise?

Mary Longacre