

Coastal Resilience Advisory Committee Minutes, July 26, 2022

Meeting was recorded and available on YouTube <https://www.youtube.com/watch?v=knKhM4f-bdo>

CRAC members in attendance;

Mary Longacre, Joe Topham, Gary Beller, Jen Karberg, Sarah Bois, Ian Golding, Matt Fee, Rachael Freeman. Joanna Roche joined at 10.12am.

Members absent;

Peter Brace and Christie Kickham

Staff Present

Vince Murphy, Coastal Resilience Coordinator

Public in attendance;

Doug Rose, D. Anne Atherton & Isabella Genova.

Meeting called to order at 10.00

Annual Election of Officers

Mary Longacre was nominated by Ian Golding for Chair and seconded by Matt Fee. Vote was unanimous 8-0 from the members present.

*Peter Brace was nominated by Sarah Bois and seconded by Matt Fee. Vote was unanimous 8-0 from the members present.

**There was no nomination for secretary.

Special note.

*Peter Brace indicated ahead of time that he was willing to put his name forward to be nominated for Vice-chair.

**No secretary was nominated or elected, so Coastal Resilience Coordinator Vince Murphy volunteers to undertake the minutes for this meeting.

Announcement of At Large seats

Announcement that the At Large seats were assigned 1 year, 2 year and 3 year term seats, now that the committee was made permanent. Terms were assigned by Town Administration staff.

1-year At Large seat – Mary Longacre

2-year At Large seat – Sarah Bois

3-year At Large seat – Joanna Roche

Approval of minutes from June 28, 2022

Minor corrections and the minutes were accepted. Motion made by Matt Fee to approve minutes and seconded by Sarah Bois. Unanimous approval 8-0 by all members present.

Report on erosion monitoring on South shore

Morgan Sayle was on the agenda to present this section; however, she was on leave. Vince Murphy undertook the presentation. Emphasis was on Madaket beach. The previous week had high tide events that were a potential cause for excess erosion. Also rip tides in the days leading up to the CRAC meeting were an additional potential risk for additional erosion. No additional or severe erosion was noted on Smith's Point, Madaket Beach or Cisco beach.

Follow-up discussion of maintaining public access to coastal environments

Ian Golding provided a recap for an application before the Conservation Commission, and other locations where walkers cannot access the beach except at extreme low tide. Massachusetts allows access between the high and low tide line. Discussions unveiled that working on these issues on the Doctrine of Public Trust may be outside of the Charter for the CRAC. Ian suggested the committee amend the charter so that it could include dealing with beach access issues.

Vince Murphy read a section of CRAC's charge where it says that the committee can identify "disconnects" between existing pertinent legislation. This would be one way to assist in generating the letter that Ian is interested in and seek changes.

Matt Fee – don't overthink this, and just write the letter to ConCom. It has broad public support and was identified by the Proprietors for public use. The beaches are for the public, for tourists for residents and for our economy. Tie it to sea level rise.

Mary Longacre – Devil's Advocate question. Is there a conservation argument against this, or a resilience argument of not maintaining public access to the beach?

Jen Karberg – is this just about structures on the beach as beaches erode? It is not always good to have access to the beaches as it might lead to environmental damage such as across marshes. But if its bulkheads protruding onto beaches, we could look at access over those structures, across the top of such structures. Might be outside CRAC purview.

Ian Golding – not referring to access to specific beach, rather when you are already on the beach and you have the right to walk along the high and low tide line and are blocked by structures. This is illegal to block this access without an implicit public good, and these private structures do not meet that.

Gary Beller – what we see as good for coastal resiliency will fly in the face of existing legal frameworks. We need to see how to accommodate both, but that may not always be the case, so CRAC may have to take a position. Resilience may be the more paramount position for the safety and future of the island

Joe Topham – walked these properties in February and saw the issues with access along the beach. Saw it would not be possible to pass by. Contemplated if public access could be granted cross private property at ConCom level or through some other mechanism. Find some way to get access.

Rachael Freeman – Land Bank does this, primarily with dock construction. Land Bank has to show through Chapter 91 that they are not impeding public access between the high and low water mark. Rachael gave an example from Long Pond. Rachael outlined the rules and said that everyone should follow the same rules.

Vince Murphy – CRP project Community outreach and Property Owner Resilience Best Practice – this could be used as a way to develop a set of guidelines for best practice. CRAC could write and develop these guidelines.

Matt Fee – Low tide, when the bulkhead is in the water, property owner could give permission to have passage over their properties. That should be CRAC's intent. Public should be able to navigate and get around and could be part of the advisory rules.

Jen Karberg – Bulkheads impeding passage along the beach, these are they type of structures are grandfathered in and not likely to be the kinds of things CRAC would recommend more of. Think about guidelines for what is coming, with public access included say when constructing a living shoreline. It should be part of the design. Jen has a hard time tying that into current structures.

Ian Golding – not saying we should be support these structures. Tell the town to do their job and remove them as there is no overwhelming public benefit. Most structures are out of compliance. Some applicants say they have no control in some instances. Ian gave an example that the bulkhead protected a house that was pre-1978. Then, the house was moved and a new building constructed in 1996. The applicants now say that the pre-1978 bulkhead is now what is entitled to protection, not a house. Some on ConCom do not agree with this approach and it was due to be heard in a few days.

Mary Longacre – cautious about reacting to specific situations and is more interested in a general statement for existing laws and customs into account. Mary also said that Harbormaster Sheila Lucy will be attending the August 9 CRAC meeting and may comment on these situations.

Sarah Bois – supported what Mary said, and what Jen said. It's a unique situation. This is a new frontier with the potential resilience projects coming forward. Public access should be included for projects coming forward. We don't want to minimize public access in any way. However, some short term projects may need a period of time for plant establishment and the language of any recommendations need to reflect this.

Ian Golding - we should do our best to add weigh in our language where it supports legal rights.

Mary Longacre – it would be easy to say that public access is not a coastal resilience concern and that is a short-sighted view. Our mandate is to find way to increase resilience with consideration for life on Nantucket. The ultimate definition of resilience here is about being able to live on Nantucket. This is a very difficult question to answer and needs a lot more discussion and thought in a public setting. Find ways to come to a meaningful recommendation

Jen Karberg – we want to encourage public access and what we are doing with coastal resilience. We need to think what we are actually going to do as a committee and where our voice is and what recommendations we may make to other boards. There should be a temporal aspect to this this like Sarah said. If we lose access in one place, we need to see if we can provide access elsewhere and make it effective for the committee

Vince Murphy - should the committee seek input from Roads and Rights of Way Committee?

Ian Golding – Dylan Fernanes wants to add recreation to the Public Trust Doctrine, should be supported and we should reach out to Roads and Rights of Way Committee.

Matt Fee – the Select Board is aware of this and gave a Baxter Road example for walkable beach in front of the Geotubes. Find a way to give the public access through or around your property. This is a basic public right that we should try to continue

Joanna Roche – Point of Clarity. Are we trying to address one specific issue or a set of rules that would be applicable to everybody?

Ian Golding clarified that this started as a letter for 18 Washing Pond Road and has now morphed into a discussion about policy.

Ian and Joanna clarified a few points in a brief discussion.

Joanna like the idea that the committee could have a specific opinion about this one location on Washing Pond Road, but that a set of guidelines (following the CRP idea) as part of how you evaluate property on the beach. Like a checklist that says “here are the things you should consider for access with a coastal resilience lens”.

Ian Golding – the property owners have agreed to the idea that steps should be included that allows walkers to get onto the sand filled bulkhead. But on the eastern end the stairs are likely going to be in the water and the public would have to wade to the stairs. Ian also said that when ConCom asked for public access, they eventually included a stairs design, and ConCom had to work hard to get that included.

Joanna Roche – this could be used to generate some bullet points that could be used as part of the Guidelines idea. This could be the proactive part instead of being reactive. The property owners eventually compromised and mitigated for public access.

Joe Topham – this is going to be more prevalent and the coast line is creeping up, so we need to take action.

Gary Beller – Matt commented on Sconset and we also talked about possible conflict, but the geotubes have cut off public access to the beach. Expanding may take more beach access away from the public.

Gary has no opinion on the geotubes, just observations. The folks there think it is protecting the bluff. We should protect public access though accommodations.

Joe Topham – Geotubes are easier to get other than other areas such as rock walls.

Vince Murphy – last day I was there last Thursday, it was passable in front of the geotubes.

Mary Longacre – this will be a continuing discussion.

Second Quarter report to the Select Board

This is the same document as was sent out for the July 12th meeting that did not take place.

Gary Beller – couldn't figure out what NRD was and Vince corrected that.

Vince Murphy – talked about a new bullet point to do with Design Thinking Workshop project for Madaket. Vince included this based on a discussion from the June 28th CRAC meeting.

Mary Longacre – thoughts on this proposed item to change, remove, edit etc?

Sarah Bois - good to get feedback from Select Board. Sticking point on the word “address” for first bullet Point. What are we doing?

Mary Longacre – we were formed for advice for Select Board.

Sarah Bois – wants to consider rephrasing “address”.

Mary Longacre – are there any current or upcoming issues that the Select Board would like CRAC's advice on?

Gary Beller – Advise and/or Recommendation.

Mary Longacre – Is the last bullet point a recommendation we want to make?

Matt Fee – what action do we want to see here?

Vince Murphy – there is no current design, just a concept. The idea in the Design thinking workshop was to undertake a slimmed down version of what was in the CRP for Madaket Beach.

Mary Longacre – concerned that there is no design.

Jen Karberg – want this to be more targeted. We need more information on what we are advocating for.

Sarah Bois – supports Jens point and does not want to chance CRAC's methods. More clarity needed.

Matt Fee – this came from Design Thinking Workshop. The idea was to get something done quickly. We need to be more specific as to what this needs to be. What can we do in the short term to make this happen.

Mary Longacre – change the word undertake to prioritize. Could also be for third quarter report.

Sarah Bois – this is more of an emergency response and we are just supporting that something needs to be done. Perhaps more prescriptive

Jen Karberg – In the next meeting, look at Design Thinking Workshop and the CRP recommendation to see about giving a little more guidance. How we hope the Town will proceed. Jen also pointed out that this area at Chicago Street is very dynamic at the moment.

Rachael Freeman – Also wants to revisit the Design Thinking Workshop recommendations.

Jen Karberg – We need to make it very obvious that this is the part going forward. Stating in Madaket and then similar analysis for subsequent areas of the island. A productive way to make targeted recommendations to the Town.

Mary Longacre – Make it less specific. Design Thinking Workshop “just do it” list continue to make progress on those recommendations.

Ian Golding – CRAC will continue to make progress in the Design Thinking Workshop and Ian added “and intends to make more specific recommendations going forward”

Gary made a motion to approve that the Q2 report be sent to Select Boards and Joe Topham seconded. All 9 members presents unanimously voted yes.

Update on the Massachusetts Coastal Flood Risk Model

Vince gave the update. The MC-FRM is now a public document on a State website. Its not three layers anymore its four layers. Present, 2030, 2050 and 2070. 2030 is new. 2100 is not yet ready. We have also confirmed we have permission to use on the Town website. Nathan Porter check with the company that does support for the Town GIS system. It is possible to put on Town GIS system. There is a cost associated with it and it’s a onetime cost. Natural Resources Department can bear the cost. It’s a question of when we can get it up, not if.

Mary Longacre – this is now usable in the update to the CRAC sea level rise recommendation to the Town & Select Board. It will have more universal appeal.

Sarah Bois – We should not move away from NOAA information. Sarah said to keep NOAA for public usability ad because it is updated regularly. Perhaps have a hybrid where we use both systems, with an emphasis on NOAA.

Mary Longacre – we can bring a new draft for discussion on the updated sea level rise recommendation.

Public Comment

No comments.

Committee and Natural Resources Department Reports

Vince gave an update a presentation about Coastal Resilience to the Brant Point Association. There were three presenters. Ray Pole speaking on behalf of Historic District Commission, Vince Murphy speaking on Coastal Resilience Plan with emphasis on Brant Point and Greg McKechnie from Great Point

Properties speaking on the local real estate market. In terms of the CRP, Vince outlined the risks to the Brant Point neighborhood and what the CRP recommends for the area. All questions were saved to the end and all three presenters answers questions as a panel. For the CRP, questions turned to costs and timing with a general sense of urgency and that the works were needed.

Gary Beller – it was a well-attended meeting and all the talks were well appreciated. Most of the questions from the association came to Vince. Brant Point is in a target zone and details about the road raising and funding. Much discussion about grant writers and the need to get such large funding sources from organizations like FEMA.

Ian Golding – ConCom update

Maureen Phillips was not reappointed to ConCom. Seth Engelbourg was reappointed. There were two new commissioners appointed and are Joe Plandowski and Mike Misurelli.

Mary Longacre – note on magazine Ramblings. The magazine had an article on the CRP and historic presentation from an interview with Holly Backus. Mary Thanked Holly.

Sarah Bois asked about the Harbor Management Plan. Is CRAC going to be involved?

Vince Murphy – Jeff Carlson and Tara Riley are primarily involved and Vince assisting. The NRD director is the project lead. Woods Whole Group is in the initial phase offsetting up the planning effort and Vince will bring a better update to the next CRAC meeting for the role of CRAC and the CRP.

NP&EDC say a draft of the Draft Open Space Plan and the CRP is to be tied in with this developing plan.

Joe Topham said he was elected the Planning Board for one year.

Mary Longacre – Announcement of the August 9th CRAC meeting and that there will be a conversation with Harbormaster Sheila Lucey and other including representatives from New England Developments, Great Harbor Yacht Club and Nantucket Yacht Club. The idea is the have a conversation with them with the concerns for Coastal Resilience and what plans they may have and what they may be able to do with the Town. This is an initial conversation for what may lie ahead.

Ian Golding spoke about the Thwaite Glacier and that the sea level rise projections may be conservative.

Next meetings are August 9 and 23.

Motion to adjourn by Gary Beller and second by Matt Fee. Unanimous by all 9 members present.
Meeting ended at 11.40am.