

# Town Committee on Squibnocket

## *Draft Minutes*

July 29, 2014

Chilmark Town Hall Selectmen's Meeting Room

8am

**Present:** Jim Malkin (Chair), Allison Burger, Steve Flanders, Billy Meegan, Jane Slater, Janet Weidner, Dan Greenbaum, Ron Rappaport

**Also Present:** Martin Hale, Daniel Padien, Deborah Hale, Warren Spector, Michelle Lasser, Larry Lasser, Barbara Lee, David Damroth, Chris Murphy, Eve Vincent, Rosalie Hornblower, Willits Sawyer, Paul Hornblower, Amy Caitlin, Rob Doyle, Jay Walsh, Frank Yeomans, Chuck Hodgkinson, Rish Shweder, Mark Haley, Wendy Jeffers, Tony Orphanos, Eric Peters, Miles Jaffe, Diana Borritt, Bob Vila, Emily Bramhall, Jim Feiner, Walter Teller, Ellen Goldmuntz, Wendy Weldon, Celeste Damon, Ket Damon, Alex Elwin, Margaret Maida, Zachary Lee, Thomas Bena, Warren Doty.

**Agenda and opening remarks:** Jim Malkin opened the meeting and reviewed the agenda. He reminded the Committee and assembled members of the public that the Committee has been asked by the Town to address three questions: access including utilities, Beach access, and parking for the Beach. The Committee seeks to operate in an open and inclusive manner and has invited proposals on these questions to be presented. The Committee has also reached out to elected and appointed bodies of the Town for input. That being said, he noted that the Committee does not profess to be an expert body on all matters affecting the ecology and hydrodynamics of the beach. If the Committee requires such expertise, it will be found. He noted that members of the Committee have expressed concern about receiving directives from members of the public as to how to proceed with its work. And finally, he reminded the meeting that the Friends of Squibnocket/LLC had made a presentation from the front of the room a few weeks back and stressed that the same courtesy and civility is to be shown at today's presentation: following the presentation, questions will be posed first by members of the Committee; technical questions can be addressed to the attending engineers. Questions from the floor will come through the Chair, and he emphasized that this hearing will hear questions directly relating to the presentation. As Chair, he would not entertain statements of opinion, or side presentations.

**Minutes** of July 15, 2014 were adopted as amended.

**MESA Submission:** Jim Malkin stated that the Committee is aware that its work will require specific input and responses from various local, State and federal regulatory agencies. He suggested that the Committee will collect and organize the inquiries which need to be brought before the various agencies, and make one submission to each agency, rather than having an ongoing stream of multiple requests.

**Funding:** Janet Weidner updated the Committee on her discussions with the Town regarding available funding for this project. In addition to determining the conditions under which the grant awarded to the Town for this project can be used, she and Dan Greenbaum have also explored the availability of Town funding for expenses involved in web page design to maximize public access to the large amount of

material available in connection with the various proposals under consideration. It is hoped that a user-friendly information archive will be set up by the time the Committee resumes its work on August 19<sup>th</sup>.

**Squibnocket Farms Homeowners' Association (SFHA) presentation:** Larry Lasser, President of the SFHA and long-time Squibnocket resident, addressed the history and context in which the proposal to ensure long-term secure access for residents of the Squibnocket Farms area was developed. He advised the Committee that Martin Hale would provide an overview of the key findings of the proposal, and that the engineers who had developed the SFHA access proposal, Mark Haley and Daniel Padien (Haley & Aldrich) were present to answer any technical questions.

He noted that the question of access to Squibnocket has been under active review and development within the Association long before the current controversy. They had sought the best available technical advice and engaged engineers to develop options for access, including emergency access, independently of the question of the Town Beach or parking area. He also reminded the Committee of the joint work undertaken with the town to create two separate revetment projects well over a decade ago. Four years ago, the ocean had overtaken the Squibnocket Beach: at high tide, there is no more beach.

"Money Hill" showed obvious erosion. Engineers Kent Healy and Reid Silva of Vineyard Land Surveying were engaged to develop a proposal to extend the revetment; however, the proposal was turned down by the State in 2010 in favor of a "soft" solution to the problem of access to Squibnocket. While the engineers were reasonably convinced that a soft option would not provide a reliable solution under current beach conditions, the Association established plantings and other measures to stabilize the access road. However, within one year of *normal* weather-stress, significant deterioration had taken place. And the entire effort was completely wiped out in one day when Hurricane Sandy came through.

The following "Earth Day" beach cleanup revealed coir bundles in the dunes hundreds of yards from where they had been placed to protect the access road. He concluded that the "soft solution" under current conditions has been tested and demonstrated to be clearly inadequate to ensure access.

The catastrophic effects of Hurricane Sandy and the Nor'easter that followed shortly thereafter were a sobering event for Squibnocket.

The team of coastal engineers was given the following criteria to develop an access proposal:

- Durable (50-year)
- Low maintenance
- "permissible" – ie within the allowable parameters of the multiple permitting agencies that would be involved in approving the project;
- Easily/conventionally constructed (not experimental)
- Financially prudent
- Built on land controlled by the SFHA;
- Palatable to neighbors.

The engineers reviewed a number of options and chose the one that best met the criteria. Larry Lasser stressed that the engineers did not have a political agenda in doing so, they were focused on safe access

for the properties of the Squibnocket Farms subdivision, and they presented a proposed elevated roadway as the best match available with the criteria set by the Association.

Much later, the proposed private, single-lane roadway came under discussion with the Chilmark Board of Selectmen, as the extent of the problems facing Squibnocket Beach were ever more apparent, and the so-called "private/public partnership" proposal was developed.

Mr. Lasser noted that the SFHA was exclusively concerned with access to the Association's properties, but recognized the need of the Town to address the beach erosion. The Association purchased land, and made it available to the Town as a town beach for a nominal rent in order to create a "private/public proposal" which the Board of Selectmen felt confident could be supported by the Town.

The partnership proposal differed in some respects from the original Association's access road proposal: mainly in that the proposed public/private elevated roadway is wider in order to accommodate beachgoer traffic. He stressed that the SFHA is "agnostic" about the beach portion of the proposal. As individuals, some SFHA members are in favor of the beach proposal, some against.

He affirmed that the SFHA would honor its commitment to buy land for a Town beach if a clear solution reasonably satisfactory to all parties could be reached that would provide secure, durable access to the Squibnocket properties.

Martin Hale then continued the Association's presentation with a summary of the elements of the original SFHA's roadway proposal. The proposal is geared to establishing long-term, secure access to the subdivision in the context of what can be presumed to be increasing incidence and severity of adverse weather events along with general ocean level rise. Two salient features we are already witnessing are erosion and failure of the existing revetment.

Drawing on the written presentation submitted by the Association, he listed the multiple state and local regulatory bodies which will be involved in this coastal resource-rich area which is replete with wetlands. Four main categories of solutions were available: 1) do nothing; 2) "Hard" solution, such as revetments; 3) "soft" solutions including plantings and dunes and 4) a solid, elevated road/causeway.

He posited agreement 1) status quo/no action is not an option, as it is manifestly apparent that the existing roadway, beach, and beach parking lot will not hold up even under mild adverse weather conditions. He noted that recent windy weather has resulted in energetic wave action that significantly undermined the bottommost boulders of the existing revetment, and that this morning's high tide is lapping at the revetment.

Regarding a "hard" solution, he noted that this, too, is off the table, as it is clear that new, expanded revetments will not be permitted by the State of Massachusetts.

The longer-term viability of a "soft" solution, while conceptually reasonable and enjoying support in some quarters, has been called into question by engineers familiar with the area. The rapid and unpredictable movement of sand all along the south shore of the Island could make hopes of a managed retreat unmanageable in a very few years' time.

The "elevated roadway" had been widely viewed as the best combination of impacts and outcomes for a considerable period of time before its proposed establishment recently became contested. It provides a secure base with minimal intrusion, as it rests on 16"-18" pilings 15' apart. It thus represents the

minimum impact on the land with a projected longevity of decades. He presented a summary table listing the relative merits of the options, concluded that the elevated causeway presented the best available solution and concluded his presentation.

Larry Lasser noted that a number of questions have already been articulated by the Committee and that these and other technical questions could be answered by the engineers present who had developed the SFHA proposal.

Jim Malkin asked for clarification of the baseline from which statements of the roadway-elevation are calculated; engineer Mark Haley replied that it uses mean low water level of 1988 as the base, for a height of 15', which, when the proposal was first developed in 2010 represented 3' above the 100 year flood line as determined by the Federal Emergency Management Agency (FEMA). The 100-year flood line is now set at 15'. The parking lot (with revetment) is at an elevation ranging from 8' – 11'.

The Committee inquired whether the beginning of the roadway could be moved further inland, as reflected in a proposal presented by the FoS-LLC. However, this would have involved land not under control of the SFHA. Creating a roadway any closer to the Pond would have created regulatory barriers. A proposed bridge *across* the Pond, rather than skirting it, would actually make it easier to permit (as a "water-dependent" project), but has not been examined in detail. Moving a roadway back towards the Pond would involve construction in Bordering Vegetative Wetlands which is limited under State regulation and prohibited under local regulation. Piling-pairs are placed 15' apart. Pilings will limit impact, which led to the selection of the elevated-roadway model.

A one-lane roadway as originally planned might or might not require traffic signals or turn-out options. In the current road, for example, temporary turnouts have been added to accommodate the additional vehicular traffic required for construction on three properties currently taking place. As a possible beach parking lot became part of the discussion, the proposal changed to a two-lane roadway, which would facilitate the heavy beach traffic during the summer months. However, this was not required for the access needed by SFHA, and was not part of the original SFHA proposal, which was for a one-lane elevated roadway.

Alison Burger asked regarding the revetment removal, and whether a "soft" solution with a 5-year life-span could be acceptable to the SFHA. Larry Lasser stated that this would not be an acceptable solution. It would be extremely expensive while failing to provide for the most important criterion, namely secure, long-term access. David Hornblower added that a "soft" solution will frequently render emergency access impossible, thus endangering SF residents.

The current popularity of the Squibnocket Beach to surfers at high-wind already presents a significant barrier to emergency access, as cars fill the parking lot outside of hours of Beach Guard supervision, blocking all access to larger emergency vehicles such as fire trucks or ambulance.

Janet Weidner asked about location of utilities. These would be located within the elevated roadway. She clarified with the presenters that the plan presented today is independent of a Town Beach proposal, and addresses only the need for access for the properties of the Squibnocket Farm Association. According to the presenters, having an elevated roadway on pilings is intended to allow natural changes to take place underneath it unimpeded, while still providing durable access and utilities for the distal properties.

The ends of the proposed elevated road do not require hard abutments, as the land is naturally elevated in the locations. The proposed location is an estimated 100 years' erosion from the current shoreline.

Wendy Weldon asked whether utilities could be securely buried. Squibnocket Farms caretaker Jay Walsh responded that maintenance and repair of the utilities makes more readily available access important. He noted that that utility conduit currently located at the existing roadway buckled and had to be repaired following Hurricane Sandy. Buried utilities have also been turned down by the Town at other locations in the past. Tony Orphanos asked what will happen to the proposed roadway if the existing parking lot washes away, which will happen if the revetment is removed. The Committee heard how the Association dealt with damage after Hurricane Sandy, which was extensive. It turned out that it could be rapidly repaired because so much construction equipment fortuitously happened to be located on the far side of the damaged roadway because of the aforementioned housing construction taking place.

Larry Lasser noted that the proposal as presented today does not presume one way or another regarding revetment removal. The SFHA has no position of preference or opposition to revetment removal, although individual members have expressed one or the other. Michelle Lasser noted that this was done in respect to the Committee's responsibility to determine the broader questions including Town Beach and parking. The SFHA proposal was limited to the critical question of access which the Association has worked on long pre-dating the town's discussions of how to manage the future of Squibnocket Beach.

Chuck Hodgkinson noted that, with respect to any eventual revetment removal, the Town has been advised to develop an exit strategy: it is not something that can be undertaken without careful planning.

Jim Malkin outlined the Committee's work plans for the coming weeks, when there will be a hiatus in meetings until August 19<sup>th</sup>. The Squibnocket Project web page will be reformulated to accommodate the growing volume of material before the Committee. Billy Meegan and Steve Flanders will develop cost estimates for required staff help in the website management; Jane Slater will seek to identify any independent coastal engineers familiar with this area not already engaged by one party or other; Alison Burger will look at natural resources elements potentially involved in the Committee's review; Janet Weidner will look for work done in comparable coastal locations; Dan Greenbaum will develop a draft outline of project components to facilitate a comparative review of different proposals. The Committee will send its questions to presenters by the end of the week.

Thomas Bena asked whether the movie "Shored Up" could be made available – it is available to the public through the Chilmark Library, and Committee members are reviewing it individually.

The meeting was adjourned at 09:47.