

Duxbury Seawall Committee Minutes – November 5, 2021

Present: DSWC Members: Alicia Babcock, Paul Brogna, Steve Callahan, Arthur Haley, Candace Martin, Don Norris, Mary Shiebler, BOS Liaison: Ted Flynn

TOWN CLERK
JAN 24 AM 9:03
DUXBURY, MASS.

1. The meeting was called to order at 4:05 PM.
2. The Zoom Preamble was read by Alicia.
3. The minutes of 09/21/21 meeting were approved with changes made by Alicia.

4. OLD BUSINESS

4.a. Update from FEMA Reimbursement- Alicia read into minutes the announcement regarding MEMA approval(90% of \$866,626.03) and pending FEMA(remaining 10%) approval of all funds requested. See attachment. The 90% funds in the amount of \$779,963.43 will be released to the Town on 11/02/21. When FEMA closes out the request, the additional 10% will be released. Alicia sent an email notice to the Neighborhood Associations regarding this great news.

Candy lead DSWC members in commending Alicia for all her persevering efforts on this endeavor. Noting that Alicia met multiple times with Chris Spilmen to assure reimbursement request moved forward. Alicia gave a great deal of extra effort toward securing this huge win for the residents. It was also noted that the DSWC can, in fact, produce positive, productive results when allowed to assist the Town. Nancy O'Connor, Executive Assistant to Town Manager, also worked closely with Chris on this project, providing necessary paperwork requested by MEMA and FEMA. A big thank you to both women!

Chris and Nancy are continuing to initiate paperwork to explore payment to Chris Spilmen from the FEMA Management and Administrative area. This funding is separate from direct project costs. Chris will invoice the associations and receive payment prior to completing submission request to FEMA. There was discussion regarding Town support of reimbursement to Chris rather than funding it from the residents. Ted supports this approach and, with Alicia, will meet with Mr. Read regarding reimbursement.

There was discussion regarding Betterments. They are in place and will require an ATM vote to petition the State Legislature to rescind betterments. There will be no refund of betterments collected until FEMA 10% funding received and State Legislature reverses betterments. Many other questions arose regarding the pending reversal and betterment payments. It was suggested that a Forum Q&A with John Adams be set up for residents to get definite answers. If Committee has/gathers any questions, they will be forwarded to Alicia to coordinate with John. There are 37 home homeowners directly impacted with \$866,626.03 in betterments.

4.b Seawall Replacement Plan-Candy reported that she has had no response from Town Manager, DPW or anyone that was sent the Proposed Seawall Replacement Phasing Plan. There was discussion regarding the fiscal responsibility to save \$5M by pursuing a 'one and done' approach that is supported by Committee. Ted will follow up so we can move forward to get this item on ATM.

4.c Beach Nourishment Update- The Town Planning Department received notice from the State on 10/15/21 stating, "The Single Environmental Impact Report (SEIR) complies with MEPA and its implementing regulations. The project may proceed to permitting." Don has been in contact with Leslie Field from Woods Hole Group. She indicated this is the first of 5 certificates needed. Remaining are Conservation Commission, Chapter 91 (waterways), CZM, and Army Corps. Don will contact Leslie to see if she needs any assistance in getting on ConCom agenda and to assure we are moving forward with filing permits. Paul indicated that 9 months is not out of the question to secure all these approvals. We

need to verify who is doing the permitting-? Woods Hole. Don will check with Leslie. Paul will contact Marshfield official to discuss their nourishment permitting.

Discussion regarding funding options for grants – looks like Duxbury has missed boat for 2022. There was \$250,000 approved in a general grant matching fund at last Town Meeting. We can seek to use this as matching funding. Questions regarding concurrently vs. consecutively requesting grant funding for seawall during nourishment permitting process? The seawall remains a shovel ready permitted project (pending nourishment plan). Steve met with Josh Cutler after our last meeting. He is supportive of project. We need to verify doing nourishment vs. permitting of nourishment prior to seawall project. Group discussion regarding proposal of retention of Chris Spilmen as Town consultant to facilitate State and Federal grants and other funding for the Town for nourishment and seawall. Any monetary expenditure of consultant fees would quickly pay for itself in funding secured for the Town projects (i.e. MEMA/FEMA reimbursement request just completed). There is currently no Town Planner in place. Grants are what we can do to make projects happen.

4.d Easement Update-There remain many outstanding easements. Those that signed first version need to request it back and resign revised easement form. Nancy O'Connor at Town Hall is willing to assist with Notary requirement.

5. OPEN FORUM

Discussion of possible State funding for Powder Point Bridge replacement. Currently a 10 year plan on Bridge, fixing smaller required sections annually until entire bridge needs to be replaced. If State funding could be secured for replacement, this would alleviate the need for Town funding the replacement.

Ted inquired regarding Fiscal Advisory Committee review of the Seawall Phase Plan. Candy indicated she had submitted to the Fiscal Advisory and there had been no discussion by the group. Town officials need to review and take a stand so we can move forward proactively in seawall replacement to mitigate area property damage, Duxbury Bay damage and possible personal welfare issues, as well as cost saving for the Town. Warrants for ATM close in December and we need to assure Phasing Plan on ballot.

Committee thanked Ted for all his support and insights. Ted noted that the wall protects the Bay and ultimately the Town. Assisting us with protection of Town vital areas is part of his job!

6. The meeting was adjourned at 5:37 PM.

ACTION ITEMS

1. Ted/Alicia- meet with Mr. Read on possible Town reimbursement of Chris Spilmen.
2. Alicia- Email John Q regarding betterment Open Forum Q&A session with residents.
3. Group- forward any and all questions regarding betterments to Alicia to coordinate/forward to John Q.
4. Ted- Follow up with TM and DPW regarding Seawall Phasing Plan input.
5. Alicia- prepare proposal for Town to consider Chris Spilmen as consultant for Seawall grants and funding opportunities.
6. Don- verify with Leslie WHG regarding permit filing responsibility and any assistance in gaining access to ConCom agenda. Also-clarify if she is aware if nourishment must be COMPLETED prior to SW construction.
7. Ted/Paul- Follow up on State support of bridge replacement.
8. Candy- Follow up with Fernando regarding Phasing plan.
9. Paul- contact Marshfield regarding nourishment permitting process.