

## Duxbury Seawall Committee Minutes August 7, 2018

Present: DSWC Members: Alicia Babcock, Paul Brogna, Steve Callahan, Candace Martin, Don Norris, Mary Shiebler, Tim Spellman, Timothy Tedeschi

TOWN CLERK

2019 JAN 31 PM 2:46

DUXBURY, MASS.

1. The meeting was called to order at 7:05PM in Mural Room at Town Hall.
2. The minutes of 07/10 /18 Field Trip, 07/10/18 meeting, and 07/25/18 meetings were approved as presented.
3. OLD BUSINESS

### 3.1 TOWN MANAGER UPDATE

3.1.1 EASEMENTS- Mr. Read distributed copies of Warrant Article 2 language for Seawall Repair Easements proposed by the Board of Selectmen and Town Manager. They want to increase the seaward easement from 15 feet to 30 feet for all seawall abutters to allow space for construction equipment. There are various changes to individual deeds on landward side so all will be set at 15 feet. Questions were raised as to the requirement of preparing new drawings to be filed with Land Court to reflect the proposed easement changes. It was noted that temporary easements could be requested to increase the access on the seaward side for construction. This would avoid the requirement to create new easement drawings, establish new maintenance easements, and then to have 60+ property owners sign and record new easements. If property owners have mortgages, this would require the mortgage lender to also sign new easement document. Recording fees would be \$70 per easement. A copy of the existing maintenance easement was read to confirm reference to the easement drawings. A question was raised on the proposed wording of the new easements. Mr. Read stated these will be the same wording. Mr. Read will follow up with Town Counsel on the issues on temporary easements and the requirement to create new easement drawings.

There are 18 properties that do not have recorded maintenance agreements. A permission letter was drafted by Town Counsel for these homeowners to agree to the filing of the permit for the seawall construction. Currently, there are three homeowners not have not signed the permission letter. These are necessary for permit filing. The individuals are requesting more information on design specifics for what is planned regarding the temporary revetment, as they are in locations that are not part of the Phase 1 replacement. The design documents for this have been previously requested by DSWC from Amory but have not been received. These drawings will be also required for permit filing.

3.1.2 RFP for PEER REVIEW- Mr. Read indicated the Town would be sending an RFP to a minimum of three firms for a limited scope review and would focus on specific questions on the design instead of a standard peer review of the full project to validate design. The awarding of this contract will be done by Scott Lambiase. There was a question raised that Massachusetts Law requires a full peer review for this type of civil, structural project. Mr. Read asked that the specific reference to the law should be emailed to Mr. Lambiase. The Committee noted that the Town did not originally go through the RFP process to hire the engineer for the whole seawall design which has a more significant value of 28 million. It was also noted during the 7/25/18 update by Pat Brennan that Woods Hole had done wave modeling studies on two points on Duxbury seawall. This information would be essential as Amory prepares design.

3.1.3 FEMA- The Town met with FEMA and submitted information that is required to trigger reimbursement. Next step is for FEMA to call the Town and set up a meeting to submit final documents. Town has attempted to reach FEMA to expedite. Mr. Read indicated that there would be no double jeopardy in obtaining FEMA funds as well as grants and any State funding. He also noted that FEMA reimbursement to individual home owners is

available only if work occurred within the easement area and during the specific time period that was declared from storm emergency.

3.1.4 CAR COUNTER- a summary of the information was provided to the Committee in advance of the meeting. A review of the results showed inconsistencies with the information provided. The total number of cars entering the beach area exceeded 3700 on one day. However, only 2000 cars left the beach. The variance of 1700 cars could not be accounted for. Email has been sent to Town Planner and DWP to request clarification.

### 3.2 AMORY ENGINEERING UPDATE

Mr. Brennan was unable to attend and provided no written update. Mr. Read will provide update on outstanding action items. The updates requested prior to the meeting included: emergency revetment design, status of performing test borings, construction logistics plan that is required for permit filing and an update on the timeline.

There was brief discussion of borings, locations and plan to obtain. It was noted that Pat was trying to obtain a physically smaller boring machine to allow access between houses on landward side of wall. Mr. Read indicated that Scott will direct Pat whenever he is ready to proceed. The logistics and access plan for the entire project needs to be defined. It is needed for permit.

### 3.3 COMMITTEE CHARGE

Prior to the meeting Mr. Read forwarded an email to Committee with responses for each of the requested changes to the charge. He emphasized that all Town officials had reviewed and provided comment to our suggestions. The Town's position is that there are already committees providing input in the areas of concern indicated by the DSWC and that any changes to our charter would be redundant. It remains that the Seawall Committee's primary purpose is for public relations and to act as a liaison between the neighborhood and the Town. The DSWC refuted the premise of redundancy since nothing had been done regarding beach nourishment or seawall repair after 2009 studies indicated that the wall was in critical condition and would fail without action. Committee members expressed frustration as many have engineering backgrounds and construction experience to offer as we attempt to collaborate with the Town. The Committee requested that the Town reconsider its rejection for charter changes as it should be recognized that the DSWC has been the one to emphasize the importance of scientific based wall design, benchmarking with other communities, identification of peat in area through borings, beach nourishment in specific areas, construction logistics regarding access, as well as the need for tight specs and review of design- all of which are necessary to avoid costly change orders and delays for the Town as this project proceeds. The committee also played an instrumental role in the STM being moved to the spring. The other Committees are not providing these functions or asking these questions. Mr. Read indicated that the Town has not reviewed Amory design plans as of yet.

### 3.4 EMERGENCY PLANS

Candy met with Chief Nord to discuss emergency response plans. These plans were reviewed and updated by the Fire Department after March storms. This included a preliminary assessment from the seaward side to survey damage. The plans include protections and preparations for impending weather events in the future. Improvements to the channels of communication were discussed since a gap exists getting emergency information to winter rental properties. A reference guide to be distributed to all area properties was suggested. This includes emergency contact information as well as instructions to follow evacuation notices.

A sample emergency brochure from Cohasset was provided as a possible format suggestion. Mary will ask if Duxbury has a similar handout available.

#### 4. PUBLIC RELATIONS UPDATE

The public relations campaign is being handled by the neighborhood associations.

#### 5. OPEN FORUM

Town Meeting discussion. Committee requested breakout of costs for emergency fixes done on seawall – OT, rental equipment, stone purchase etc. It was noted that the information on expenses during the March storms was unclear. Mr. Read contacted Amory to provide an estimate of the emergency repairs. Portions of that email were read during the meeting. Mr. Read will forward the email from Amory regarding 400 feet of emergency repair redo request. This is estimated to be \$135,000 by Amory. The rocks used will be re-used in the new design during final construction so the money for this armor stone won't be spent twice. Anticipate a 3-4 week turn around for the work. Question if the permit Amory is filing for revetment could cover the emergency stabilization project. Mr. Read to follow up.

Environmental Bond Bill-per Mr. Read, Josh Cutler indicated passed for \$1.5M and is awaiting Governor Baker's signature and release of funding. Mr. Read stated that Representative Josh Cutler should be contacted to advise on next steps. As the Town was not following up on this, the Committee opted to schedule Representative Cutler at the next meeting. DSWC will request Josh Cutler to discuss approach for us to have with Governor (emails/calls/specifics to request).

Duxbury Reservation recently received a \$500,000 grant for dune restoration from State. Concern was raised about the large amounts of sand to be trucked to the Reservation over Rainbow Bridge on Canal St for access down Gurnet Road. Bridge has weight limits and should not be used for the heavy trucks. The Marshfield Bridge that can be used as an alternative route has a scheduled closure. It will not be accessible because of a scheduled repair project that will take 2-3 years to complete. Mr. Read indicated that Duxbury is working with Marshfield to obtain a baily bridge from the State to place at Rainbow Bridge which would allow heavy load passage for both maintaining the DBR property and for the seawall construction.

Flooding at Canal/Gurnet – it was noted that in discussion with Chief Nord, the catch basin near the Rainbow Bridge floods the area during high water levels in the marsh. He indicated that the check valve associated with this catch basin is malfunctioning and will need to be inspected. Mr. Buttkus will be contacted.

Seawall Maintenance Budget - a repeat request for status as to whether the new budget will have a DPW line item for seawall maintenance included. Mr. Read will check with Mr. Buttkus about this request.

#### 6. ACTION ITEMS FROM MEETING

1. Easements - maintenance easements reference Duxbury Seawall Easement plans that were developed & recorded. (R. Read).

A: Need to confirm that requested easement changes will require new drawings to be issued.

B: Warrant references "permanent" and "temporary" easements. Can temporary easements be used?

C: Need to confirm if warrant would be required if maintenance easements remained with 15' and temporary construction easements were used. This would avoid re-recording of 40+ properties.

2. Peer review - MGL requires peer review for structural design. Email to be sent to S. Lambiase. (C. Martin).

3. Design Update - Amory was not able to attend meeting. Updates will be requested. (R. Read)

A: Temporary revetment design (open action item from 7/10 meeting). This is needed ASAP for three property owner's approval for permit filing.

B: Construction Access and Laydown space to be defined for permit (open action item from 7/10 meeting)

C: Location & timing to perform test bores

D: Timeline to be updated to include completion of action items A, B and C with allowing one week following temporary revetment design plans to be provided to the three homeowners who have not signed permission letters.

4. Design review comments performed by the Town to be forwarded to the Committee. (R. Read)

5. Emergency Preparedness

A. Chief Nord to be contacted to see if town has any existing brochures that can be used as handouts. (M. Shiebler)

B. Draft document to be updated to include note to adhere to warnings for evacuation. (C. Martin)

6. Emergency Repairs - value of repairs to be included in the warrant article requires additional detail for estimate of costs. Email from P. Brennan to R. Read to be forwarded to P. Brogna (R. Read)

7. STM - warrant article for emergency seawall repairs will require support from residents in Gurnet Road Area. Email to be issued out following Monday's meeting on voter registration. (C. Martin)

8. Request for J. Cutler to attend Committee meeting to be scheduled (A. Babcock)

9. Catch Basin at Canal/Gurnet Rd to be evaluated. Noted by Chief Nord that this causes flooding in area as check valve may be broken or was never included in design. (R. Read)

10. Seawall maintenance budget - status of request to be included in budget planning. (R. Read)

7. NEXT MEETING: Next Meeting will be Monday 8/13/18 at 6:30PM. Location Senior Center. It will be a joint meeting with the Selectmen to discuss the warrant article.

8. ADJOURNMENT: The meeting was adjourned at 9:20 PM.