

TOWN CLERK

**Duxbury Seawall Committee Minutes – Friday April 15, 2021**

Present: DSWC Members: Alicia Babcock, Paul Brogna, Steve Callahan, Arthur Haley, Candace Martin, Don Norris, Mary Shiebler; Ted Flynn-Select board, John Adams-Finance.

2021 AUG -5 AM 8:28  
DUXBURY, MASS.

1. The meeting was called to order at 5:33PM via Zoom. Zoom preamble read by Alicia.
2. The minutes of 03/31/2021 meeting were approved as presented.
3. OLD BUSINESS

Replenishment/Easement: Meeting planned with Alicia, Ted, Fernando to discuss easement language. Attorneys Dannehy and Sullivan concur regarding removal of language about 'fees'.

There was general discussion regarding 'ownership' versus 'rights'. All agreed no one owns the beach. Many homeowners feel that since they don't own the beach, an easement to use is not necessary.

Homeowners in the area have land court deeds, registered land – some with high tide (now at the wall) and others low tide rights. Town has previously incorrectly stated that homeowners registered land is somewhere between high and low tide. No one pays taxes on the beach areas (seaward side of wall). DSWC has asked the Town for evidence that area homeowners actually "own the beach", documentation that states the beach is private. To date, we have been provided with no information on these topics.

The easement language needs to be revised prior to ATM vote. A similar issue occurred at last town meeting and it was amended on the floor to remove "fee" language. It was noted that the language in the easement was boiler plate-used for both Marshfield and Duxbury residents-both communities have issues with wording in document.

4. NOURISHMENT PLAN REVIEW: Nourishment plans updated and available include elevations and plantings etc.
5. SEAWALL PHASING PLAN: In order to obtain a Dam & Seawall Grant from the State, we must have a plan to submit. The more detailed the plan the better chance of approval. Towns that are fully committed to these projects go to top of list. The matching funds to support grants are necessary. Discussion included the possibility of completing the remaining phases of the project in one construction season—one and done. Per Amory Engineering's Plan:
  - A. to complete remaining wall replacement would cost \$15M. Funding for this could be \$3M grant, \$12M a bond, warrant override for the balance, and betterments. This would provide a great cost savings.
  - B. Replace Bay Ave Section-\$4.7M-There was discussion at Fiscal Advisory regarding a Capital Plan, discussion at Finance Committee about phasing options.
  - C. Replace Ocean Road South section.

DSWC agreed that we need to formalize Amory plan with more specifics including funding options. John Adams noted an override would provide Town funding, setting aside funds for the project. Annually \$1.2M is set aside for Capital spending on different projects. Seawall at this point is failing Town infrastructure and an infrastructure priority. Going forward, the wall needs to be part of annual Town budget plan. Ongoing wall maintenance maintains a \$2.2M tax base from the area that currently supports many Town projects.

Current easement/nourishment plan is for permit approval only-not funding the nourishment project. Permits are required to move forward with nourishment project.

General discussion of seawall replacement funding strategies. Review of Grants applications, requirements needed.

6. DSWC CHARGE: Discussion about our request for the revised DSWC charge previously submitted to Town. These were denied, as being covered by other committees and Town officials. Our proposal included more coastal management perspectives than we are presently charged. Don will review.
7. OPEN FORUM:  
Mary noted email reminder sent today to Pete Buttkus regarding notice for homeowners about care of/on seawall.  
Discussion of letter writing campaign to Federal Senators and Representative regarding support of Infrastructure Bill-seawall would be an infrastructure project. Contact information including Email, snail mail and office phone numbers to be distributed to neighborhoods. Steve will cover Webster Island group.

Next Meeting will be Thursday 4/29/21 at 5:30PM.

8. The meeting was adjourned at 6:45pm.