

Nantucket Coastal Resilience Advisory Committee (CRAC)

Tuesday, September 10, 2024

Via Zoom

*Meetings are audio- and video-recorded

Members present: Gary Beller, Tim Braine, Matt Fee, Rachael Freeman, Christy Kickham, Doug Rose

Members Absent: Dr. Sarah Bois, Peter Brace, Dr. Jen Karberg, John Kitchener, Joanna Roche

Staff present: Leah Hill

Scheduled Speakers: William Kinsella, Chair of ACKclimate

Members of the public: Gerry Connick, RJ Turcotte, D. Anne Atherton

Recording available here: <https://youtu.be/8MQEccRxTK0?si=qJ7l4Q6T-BBAylQM>

Packet available here: <https://www.nantucket-ma.gov/AgendaCenter/ViewFile/Agenda/09102024-14251>

1. Call to Order – 10:00am

- In the absence of the chair and vice chair, co-secretary Freeman requested a motion to allow her to serve as chair pro tem.
 - Motion (Rose), second (Braine), approved 6-0.

2. Meeting announcements: Freeman read abbreviated script on how the public can participate.

3. Public comment on topics not on the agenda: none.

4. Approval of Minutes: none

5. Approval of September as Climate Change Awareness Month proclamation between CRAC, ACKclimate and the Select Board

- Motion (Fee), second (Rose), approved 6-0.
- During public comment, Kinsella provided some historical background on the proclamation as a public awareness strategy, and thanked the committee for its support for the fifth year in a row.

6. CRAC co-secretary replacement.

- The topic was continued to the next CRAC meeting due to a number of absences from this meeting.

7. Initial thoughts on updating the zoning by-law and regulations with coastal resiliency.

- Beller suggested that the committee focus on the recommendations articulated by Arcadis in the Coastal Resilience Plan (CRP), and urged that CRAC look into what needs to be done to bring a hold harmless agreement back to town meeting
- Kickham suggested that the CRP recommendations be reviewed on a future CRAC agenda.

- Rose concurred with Beller, and stated that he had included in his submission for this meeting the portion of the CRP that deals directly with updating Nantucket's zoning bylaw and land use regulations. His submission also identified several other ideas (beyond those in the CRP) that emerged from CRAC's recent discussions with the regulatory commissions and boards earlier in 2024. He also agreed with Kickham's suggestion to put the list of recommendations on the agenda of a future CRAC agenda for focused discussion.
- Braine expressed agreement with the comments made by other committee members, and confessed that he would benefit by having a clearer understanding of Nantucket's regulatory framework governing the Planning Board, the Building Department, what measures rightly belong within the province of the zoning bylaw, and how FEMA regulations overlay each of those, as examples.
- Freeman asked Hill to research the topic of Nantucket's regulatory framework, and provide the committee with some guidance on that topic.
- Fee commented that his understanding of next steps with the Planning Director was that CRAC should provide her with the recommendations from the CRP. He stated that both the Select Board and Planning Board are looking for direction from CRAC on this, but that the path forward is not entirely clear, and could become somewhat political. He also argued that in addition to the CRP recommendations, CRAC should consider the 'hold harmless' article proposed by Rick Atherton as a way to limit the Town's liability with future development in at-risk areas.
- Rose commented that the path forward seemed clear:
 - *The clear consensus within CRAC should begin by getting thoroughly familiar with the dozen or so recommendations from the CRP relating to zoning and land use;*
 - *CRAC should add to that list any ideas that may have been overlooked in the development of the CRP, including:*
 - ◆ *The Atherton 'hold harmless' measure which Fee mentioned;*
 - ◆ *The topic of road discontinuances, which was mentioned by ConCom chair Engelbourg as worthy of further investigation;*
 - ◆ *The concept of adding positive incentives ("carrots") in addition to penalties ("sticks") into our regulatory framework, as mentioned by HDC chair Ray Pohl;*
 - ◆ *As an aspirational goal, look for any opportunities to reduce some of the complexity and contradictions within Nantucket's current regulatory framework.*
 - *Per the Planning Board Chair Dave Iverson, once that list is finalized, it should be reviewed/evaluated/refined by Planning Department staff, who in turn would bring it forward to the Planning Board, such that the Board "can make it their own".*
- Beller expressed support for Atherton's proposed 'hold harmless' measure, and suggested that it be added to a future CRAC agenda.
- Fee suggested that CRAC should recommend to the Select Board that it support a thorough review of the 'hold harmless' measure, and argued that CRAC support staff (Hill) would be the proper interface with the Planning Department staff.
 - *Hill concurred: once CRAC has finalized its list of recommendations, she can act as the interface with Planning staff.*

- Freeman added that there could be an opportunity to combine/simplify/streamline some changes through mapping, e.g., the Flood Overlay Districts and Coastal Resilience Districts (CRDs), as examples.
- Under public comment, D.Anne Atherton advised that the ‘hold harmless’ measure was drafted with the help of Town Counsel. She also asked if updating of the zoning bylaw and land use regulations would be an opportunity to harness the Town’s interdepartmental work group.
 - *Hill confirmed that once CRAC agrees on its full list of recommended measures, she intends to bring it to the work group’s attention.*

8. Status update on CRP recommendations presented by Leah Hill, Coastal Resilience Coordinator

- Hill reviewed the status of each project, identifying programs which are either in development, underway, complete or ongoing
- Rose asked if there might be an opportunity for CRAC to provide input on the Strategic Retreat and Relocation program RFP
 - *Hill responded that CRAC will have an opportunity to provide input once a consultant has been selected.*

9. Public outreach ideas/strategies from committee members – discussion on how ACKlimate can help CRAC’s outreach and education campaign

- Beller suggested a series of local close-ups, showing the future outlook for various neighborhoods around the island
- Freeman suggested a series of posts on various CRP projects

10. New business, Natural Resources Dept. & Committee reports from Planning Board, Conservation Commission, Harbor and Shellfish Advisory Board, Select Board, Advisory Committee of Non-Voting Taxpayers, and other committee members.

- Hill advised that:
 - *Karberg and Bois will provide an update on the Climate Change Summit at the next CRAC meeting*
 - *Climate planners from Newport, RI visited to learn from Nantucket’s experience and coastal resilience planning*
- Braine advised that ConCom is making steady progress on refining the Order of Conditions relating to the SBPF/TON joint proposal for expansion of geotubes
 - *Fee commented that how we pay for these types of projects is a key item that is not being addressed, and that if a betterment system had been in place, some of the past failures on this project could have been avoided.*
 - *Kickham commented that the Capital Committee met with Jeff Carlson and Vince Murphy on this project, and will provide an update at the next CRAC meeting.*
- Beller advised that he distributed the latest status CRP update to the Advisory Committee of Non-Voting Taxpayers, and they were well received.

11. Discussion of upcoming meeting dates and topics: Next Meeting is September 24, 2024, on Zoom

- Hill summarized that future meeting topics should include the following:
 - *Deep dive on the proposed 'hold harmless' measure*
 - ◆ *Freeman asked that Hill distribute the complete text of the 'hold harmless'*
 - *Further comments/questions on recommendations for zoning/land use regulations*
 - *Further information about flood hazard overlay districts*
 - *An overview of Nantucket's regulatory framework, with focus on building and zoning*
- Rose suggested that CRAC dedicate time on going through each of Arcadis' recommendations in the CRP at a future meeting
- Freeman and Fee discussed whether funding strategies should be addressed at a future CRAC meeting
 - Hill commented that CRDs as a funding model failed at Town Meeting.
 - Beller asked if the CRD by-law measure that passed would allow the Town to address the funding strategy question in any way.
 - ◆ Hill advised that the CRD measure that passed at Town Meeting was the by-law which allows the Town to map districts. The Town's Sustainable Programs Manager Vince Murphy is developing a protocol for the Select Board to begin outlining Coastal Resilience Districts.
- Rose suggested that CRDs might be a useful tool for bringing together multiple regulatory considerations spanning ConCom, HDC, Planning, Building, and Zoning.
- Fee suggested that Zoom's AI assistant might streamline minute-taking.

12. Motion to adjourn:

- moved (Fee), seconded (Rose), approved (6-0).