



## CONSERVATION COMMISSION MEETING MINUTES – September 9, 2021

**Present:** Laurie Freeman-Chair, Bob Mosher, and Bob Hidell-Commissioners, Loni Fournier-GIS Director and Emily Sullivan-Conservation Officer. The Conservation Commission did not have quorum. Members from the Harbor Development Committee were also present, including: Marco Boer-Chair, William Reardon-Vice Chair, Peter Branagan, Paul Gannon, Nick Amdur- Committee Members, JR Frey-Town Engineer, and Ken Corson-Town Harbormaster.

**Absent:** Crystal Kelly-Vice Chair, Tom Roby-Commissioner

The remote meeting was held via Zoom with Dial in #929-205-6099, Meeting ID # 846-5567-3769

### **The meeting was called to order at 7:03 PM.**

Chair Freeman stated this meeting was a joint meeting between the Conservation Commission and Harbor Development Committee to discuss the proposed Hingham Harbor Coastal Resiliency Improvement Project. The project was approved by Hingham Town Meeting. Chair Freeman acknowledged that a few sections of the Hingham Wetland Regulations prohibit some aspects of the proposal, and therefore the Commission needs to discuss permitting strategy and whether regulation revisions are necessary. Chair Freeman introduced members of the Commission to the Harbor Development Committee (HDC). L. Fournier introduced E. Sullivan, the Town's new Conservation Officer. L. Fournier has shifted to a full-time GIS role.

W. Reardon called the HDC meeting to order on behalf of M. Boer, who was only participating through audio connection at the start of the meeting. W. Reardon stated that the meeting was being held remotely as an alternate means of public access pursuant to Chapter 20 of the Acts of 2021 temporarily amending certain provisions of the Open Meeting Law. He advised that the meeting and all communications during the meeting may be recorded by the Town of Hingham in accordance with the Open Meeting Law. He stated that if any participant wished to record the meeting, to notify both him and Chair Freeman in accordance with M.G.L. c. 30A, § 20(f) so that they could inform all other participants of the recording. No participants expressed a wish to record the meeting. W. Reardon introduced members of the HDC to the Commission.

### **Hingham Harbor Coastal Resiliency Improvement Project**

Chair Freeman introduced the proposed project. Chair Freeman highlighted section 20.0 Land Subject to Coastal Storm Flowage subsections (5)c and (6)b which prohibit new or proposed expansions of coastal engineering structures unless such structures are of a loose sloped-stone design within VE and AE Zones. Comm'r Hidell presented a draft new regulation section to address Climate Change and Sea Level Rise, which could be added to the Regulations to allow specific types of proposed expansions of coastal engineering structures.

L.Fournier noted that in the past, the Commission has interpreted the word "expansion" to include changes in footprint and height of structures. The Commission discussed similar proposals the Commission has reviewed in the past and how the Commission responded to such proposals. The Commission acknowledged that the Hingham Harbor Coastal Resiliency Improvement Project proposed improvements to protect public land and infrastructure. The Commission appreciated the efforts the HDC put into getting a third party to review the project and project's impact on adjacent properties. The HDC has contracted Woods Hole Group to conduct a review of the proposed design.

Chair Freeman asked for clarification on the proposal's impact to resource areas. L.Fournier stated that there would be temporary impacts during the construction process, but overall the seaward impacts would be the same as if the Town Pier seawall was being rebuilt rather than raised, and that the landward impacts were that the adjacent parcels would

be more protected. L.Fournier noted that the proposed design does not completely mitigate flooding and sea level rise risk indefinitely. Overtopping is still likely to happen. Exact climate change impacts are unknown.

Chair Freeman asked for more clarification on landward impacts. L.Fournier stated that although the proposal does not include work on the privately owned Red Eye Roasters, this gap in the coastal engineering infrastructure will not create a “fire hose effect”. Flooding through this gap will not be noticeably worsened if the public seawalls are raised because flooding is a time based impact, and only so much water can flow through the gap over a specific duration of time. W.Reardon stated that the owner of Red Eye Roasters is aware of this project and the gap through his property. The owner has procured Beals and Thomas, the engineering firm the Town contracted to develop the project plans, to develop a design consistent with the Town’s plan.

**Potential Changes to the Hingham Wetland Regulations**

The Commission discussed opportunities to revise the Hingham Wetland Regulations in order to accommodate climate resilience projects. Chair Freeman asked for clarity on the timeline of the Hingham Harbor Coastal Resiliency Improvement Project. J.Frey stated that the HDC was ready to submit a Notice of Intent to the Commission. The HDC would like to put the construction work out to bid so that the work could be complete over the winter. Members of the HDC elaborated that the construction needs to occur during the off-season, and that construction costs typically increase by 2-3% annually, so there was some urgency to the project timeline.

The Commission stated that it did not want to delay the project, but that it had an obligation to review the project and ensure that it is consistent with the Wetlands Protection Act and Hingham Wetland Regulations.

B.Hidell noted that the Commission needs to post a public meeting for regulation revisions and indicate that a vote may be taken in order to approve revisions. The Commission agreed that it would propose minor revisions to the regulations to address the limitations of Section 20.0 (5)c and (6)b, and then later this year begin a holistic regulation revision to include climate change considerations such as sea level rise, flooding, and other extreme weather events.

L.Fournier noted that Town Counsel can review proposed revisions. L.Fournier also noted that the project may be required to contribute to the Town’s Shellfish Mitigation Fund. K.Corson confirmed that this project would need to contribute to the fund.

**Meeting adjourned at 8:35 pm.**

Submitted, \_\_\_\_\_  
Emily Sullivan, Conservation Officer

Approved on September 27, 2021

*This meeting was recorded. To obtain a copy of the recording please contact the Conservation office.*