

Present: Chairman Jay Putnam, Paul Chamberlin, Billie Bates, John Geiger, Conservation Agent Kristin Andres and Secretary Mary Fougere.

Absent: Commissioners Carol Scott and Robert Lear and Associate Member Patty Morrison.

325 Fox Hill Road, Eastward Ho! Country Club, SE 10-2534: The hearing was re-opened for a Notice of Intent (NOI) for the proposed shorefront protection at 325 Fox Hill Road. Roy Okurowski/Coastal Engineering Co Inc and Jack Farrell represented the applicant. Mr. Okurowski had sent revised plans, a word document and Mr. Rosen's report digitally prior to the meeting. Unfortunately, there were problems in transmitting the plans and the Commissioners did not receive them. According to Mr. Okurowski, the minor change shown on the revised plans was the use of fescue grasses on the banks. The Commission agreed with the applicants that every attempt should be made to conclude discussion and come to an agreement as to what aspects of the project would be permissible and what aspects should be changed. To date, there has been no discussion regarding the nourishment phase of the project.

The Commissioners were in receipt of a report dated April 12, 2010 from consultant John Ramsey, who had reviewed the Shoreline Management Plan submitted by Coastal Engineering dated March 16, 2010. Mr. Okurowski had been asked to submit a detailed nourishment plan that would include work protocol & procedures, nourishment timetable with expected amounts of sand to be used and a detailed planting plan. Mr. Okurowski circulated and read a revised summary of the Shorefront Management Plan (submitted to Commissioners at the table April 12), which addressed the performance standards of coastal beaches and coastal Banks. The applicants feel that they have met the performance standards. Additionally, the Commissioners were supplied with another copy of "Beach Nourishment Sediment Issues (from Dr Peter Rosen)" and a sieve analysis of sand taken from Eastward Ho! beach on March 9, 2010.

To summarize, Commissioner Chamberlin stated that most people agree there are three problems that affect this site:

- * Normal coastal erosion
- * The rise in tide
- * Revetments have been installed and there has been no nourishment since the installation in the early 1990's. The applicants state in this application that a nourishment plan will be forthcoming, however it does not remedy the fact that there are areas of this shoreline that have been sand starved for years.

Commissioner Chamberlin re-iterated his concern that the applicant has not shown convincing evidence of the necessity of adding rocks to the bank. Simply saying that the applicants have tried to use other methods, that this addition of rocks is the only solution to prevent erosion is not convincing, there has been no evidence to support those statements, further Mr. Ramsey agrees with this conclusion. In summary, he felt that since nothing has been tried, it is premature to approve the addition of rocks to the extent that is proposed. Commissioner Holt questioned whether an equilibrium has yet been reached in the tidal ranges due to the new break in North Beach. She noted that some of the sand nourishment will be placed below MHW, which is problematic since there is no Chapter 91 license in place for such work.

From the audience, Jack Farrell addressed the Commission's concern that there should have been a shoreline management plan developed and implemented over a year ago probably at the same time that this application was submitted. He stated that in Area 2 the fiber rolls were re-placed and re-nourished; the sand was gone in 10 days. Through this application, the Club is trying to establish "a line in the sand" by doing some nourishment under this application. From the data that will be studied through this proposal, a viable beach nourishment plan will be developed. The club intends to follow through with the development of said plan. Currently, the Club needs to preserve their land and survive until the equilibrium addressed by Commissioner Holt occurs. Further, the Club has decided to address areas above MHW only, under this application. Timing is important to be able to do something along the shoreline; there is no objection to filing for a Chapter 91 license in the future.

Discussion ensued regarding the completion of the project in phases. Under this application, the applicant could agree to nourish existing eroded areas and repair existing fiber rolls and add fiber rolls to areas at the toe of the bank where necessary. It could be assessed whether rocks would really be necessary, and if they are, the applicant would be allowed to come back under the same filing number for changes. The establishment of trigger points could be determined, such as if the applicant had to nourish more than twice annually. This trigger is similar to what the people along Old Harbor Road were asked to do. Additionally, philosophically once people have installed rocks, there is a tendency to forget the need for monitoring.

Commissioner Geiger disagreed with doing the project in phases because he felt that every time there is work on the beach, there is disturbance. It would be best to complete the work as one project

From the audience, Mr. Farrell stated adamantly that the Club does not want to consider a phase-type approach to the erosion control.

Commissioner Putnam noted that nourishment monitoring and a management plan are crucial to making this project work and continue to work for many years. Although Coastal Engineering had supplied a long narrative with some project specifics, overall there are many vague areas and it is quite repetitive. John Ramsey noted in his April 12, comment that the Shorefront Management Plan "lacks quantitative information regarding the basis for the design as well as anticipated impacts associated with the planned coastal engineering structures" Discussion ensued the legalities of insuring that the applicant maintain a monitoring plan for the beach. There are bonds that can be provided but the Commission does not want to burden the Agent with monitoring responsibilities.

From the audience, Coastal Resources Director Ted Keon, stated that setting up GPS transect points and collecting data is fine, but the plan does not address or expand on what will be done with the data. Timing of nourishment, ecological impact of nourishment and seasonality of nourishment has yet to be addresses.

Commissioner Bates questioned why discussion of clay content in the nourishment sand compatibility has been dismissed when there is currently clay coming out of the eroding bank. In further addressing compatibility of sand, Mr. Keon felt that the gravel component should be changed to reflect existing conditions. At the west end of the Club's property, it would not seem practical to force-feed the system a mixture of 50 %gravel-50% sand, for instance when the beach does not have a gravel component. In other words the mix may have to be adjusted when nourishing from east to west.

Mr. Farrell asked if the Commission would consider a nourishment proposal that would allow the Club to put down a pre-determined amount of yardage over a period of five years to get the commitment to nourish started. While this agreement is in place, the beach could be monitored annually by Coastal Engineering.

In summary, the final discussion points will be:

- * Quantifying specifics of the monitoring report i.e. numerical data in terms of erosion data as opposed to generalized opinions, etc. Currently 1 cu yd per linear foot of beach is proposed for nourishment. The questions addressed in Mr. Ramsey's April 12, 2010 report should be addressed
- * Question regarding the use of rocks vs. fiber rolls, whether to modify aspects of the plan or adhere to what is proposed
- * Coordination of Chatham Yacht club's future efforts as part of the shorefront management plan

The Commission and the applicants agreed that an on-site meeting would be beneficial. Everyone agreed that closure is imminent and it may be possible to close the hearing after the on-site. **The hearing was continued to April 28,**

2010 to allow staff to arrange an on-site meeting and determine the next meeting date.

Adjournment: It was moved, seconded and voted to adjourn the meeting at 6:15 PM.

Respectfully submitted,
Mary Fougere, Secretary