



**Raynham Conservation Commission
Raynham, Massachusetts
Regular Meeting
March 20, 2024 @ 5:30 p.m.
Donald L McKinnon Meeting Room**

Members Present:

Dave McRae – Chair
Bill Reynolds – Commissioner
Riley Menconi – Commissioner
Linda Pacheco – Commissioner
William Campbell – Commissioner

Staff Present:

Azu Etoniru – Conservation Agent
Amy Engelhardt – Conservation Clerk
Dawn Caradonna – Recording Secretary

Called to Order:

Mr. McRae called the meeting to order at 5:30 p.m. and informed that all Conservation Commission meetings are recorded by RayCam.

All Public Hearings and Meetings heard by the Raynham Conservation Commission on this date held at the Raynham's Veteran's Memorial Town Hall, Donald L. McKinnon Meeting Room, 558 South Main Street, Raynham, MA are relative to filings and joint hearings and/or meetings under M.G.L Ch 131, Section 40, as amended, and the Town of Raynham Wetland Protection Bylaw.

FORMAL

Request for Determination of Applicability

942 Broadway – Bristol County Savings Bank

Mr. Reynolds read the Public Hearing notice

Representing the applicant was Paul Matthews. A plan was presented to the Commission depicting the buffer zone, wetland line and the work proposed. Back in 2001 the Commission approved the work currently on the property which is a storm water management system located on edge of drive-thru with a leaching catch basin located in the front parking lot. The plans also include proposed work by MassDOT on Rt. 138. MassDOT is proposing to modify curb cuts into the property and the island by the front of the bank. The proposed grades are steep, therefore to accommodate customers, proposing to relocate drive-thru back 35 feet westerly to match proposed grades to Rt. 138. Work proposed is within the buffer zone, approximately 2,800 sq. feet, of that about 800 sq. feet is shown on the MassDOT plan. Proposed work to be on the existing paved surface, no new impervious. The exit for the drive-thru will remain on Rt. 138.

Mr. Campbell informed that the proposed work is outside the 50 feet. He has no issues with the proposed as long as there is no work to be performed within the basin.

Mr. McRae asked for public comment. No one responded.

MOTION: Moved by Mr. Reynolds and seconded by Mr. Menconi to close the Public Hearing for the Request for Determination of Applicability, 942 Broadway, Bristol County Savings Bank. Discussion: None. Vote: 5-0-0

MOTION: Moved by Mr. Reynolds and seconded by Mr. Campbell to approve the Request for Determination of Applicability, Negative 3 for 942 Broadway, Bristol County Savings Bank. Discussion: None. Vote: 5-0-0

Continued Notice of Intent

251 Broadway Crossing LLC – DEP # 269-1046

Present was Attorney Ryan Prophett and Dan Andrade.

A site walk was performed in February and members present was able to observe wetland areas. Commission expressed concerns with sediment built up from stormwater runoff and the restoration of the buffer zone. Ken Thompson, Botanist, provided a detailed analysis on removal of sediment as well as a restoration plan for plantings in the buffer zone and seed listing for grass .

The applicant received a letter from MassDOT regarding the moving of a pipe within an easement. A copy of the letter has been provided to the Commission. Essentially, the letter states that it is okay for the removal of the pipe as long as it is at the expense of the owner.

Mr. McRae has read the letter from MassDOT and stated that it refers to the request at “your own risk.” It is the attorney’s understanding that the move is at the risk of his client and the cost of construction to move the pipe. The letter is the authority to remove the pipe and believes MassDOT will not come back to say they cannot.

Mr. Etoniru commented on the restoration plan provided by Mr. Thompson which is standard. He also commented on the letter from MassDOT and even though authority was given to remove the pipe, they would come back after the final review of the permit and say something different.

Attorney Prophett spoke of the removal of sediment as outlined by Mr. Thompson and said the recommendations will be followed.

Mr. McRae requested a hard copy of Mr. Thompson’s recommendation and restoration plan to be placed on the plans.

Attorney Prophett said they will be requesting a continuance as they have been working with an engineer for issues at 211 Broadway for storm water run-off. Based upon plans from Engineer, the applicant will be moving forward a Minor Modification through the Raynham Zoning Board of Appeals.

Mr. McRae asked for public comment. No one responded

Attorney Prophett requested a continuance until April 17, 2024.

MOTION: Moved by Mr. Reynolds and seconded by Mr. Riley to continue the Public Hearing for a Notice of Intent, 251 Broadway Crossing, LLC – DEP 269-1046 until April 17, 2024 at 5:30 p.m. Discussion: None. Vote: 5-0-0

Continued Notice of Intent

333 Richmond Street – DEP #269-

Present was Frank Gallagher, Gallagher Engineering, Foxboro, MA and owner Matt Logan, L.L.I.W. Metal Fabrication

After reviewing the previous plans, Mr. Gallagher confirmed that the buffer is the living fence which was approved in the Certificate of Compliance. Condition 37 also requested “no work” signs to be

placed along the buffer zone. Since the last meeting, Mr. Logan installed the signs. Mr. Gallagher believes that all conditions from the prior filing has been satisfied.

Mr. Etoniru reviewed the Conditions on the prior filing. He informed that DEP is not issuing a file number because it is subjected to Stormwater Management which will need to be compiled with. The pipe located on the property that comes from the building to wetland will need to be quantified and characterized.

Mr. Gallagher informed that upon Transfer of property, Mr. Logan was never apprised of the conditions.

Mr. McRae confirmed that he visited the site and signs are in place, seventeen in total. The proposed addition to be constructed in the rear of the building on paved surface, no new impervious surfaces proposed. Mr. Gallagher will design an infiltration system to be put into place for the roof run-off.

The construction work will be close to buffer, Mr. Reynolds asked how close the equipment will be to the wetlands. Mr. Gallagher informed there will be between five to seven feet for equipment. With the equipment necessary, Mr. McRae said he personally does not see how they will remain on the pavement.

During the visit today, Mr. McRae noticed two bobcats on the property, projects being worked on in the rear and the entire front parking lot had steel. He asked about oil running off the steel and how it is being kept off the pavement.

The steel was delivered yesterday, and Mr. Logan explained that the material is taken in to be worked on depending on sensitivity of the job and is then shipped out.

Mr. Campbell commented on the need of an Industrial Stormwater Management Permit for the activities on site which is a separate NOI process.

With the additional plans proposed, Mr. Gallagher spoke of a reduction to the building, for a larger area before the wetlands.

Mr. Campbell would like to review the original decision on the 25-foot buffer. He also requested the fill area and restoration for the fill area to be reviewed.

Mr. McRae asked for public comment. No one responded

Mr. Gallagher requested a continuance for a stormwater plan to be submitted.

Motion: Moved by Mr. Reynolds and seconded by Mr. Menconi to continue the Public Hearing for the Notice of Intent for 333 Richmond Street until April 3, 2024 at 5:30 p.m. Discussion: None.

Vote: 5-0-0

Notice of Intent

0 Orchard Street – Map 14, Lot 124 – DEP #269-1054

Mr. Reynolds read the Public Hearing notice.

Present was Joshua Boyden 38 N Main Street, Carver, MA

The proposed is for a single-family home within 100 feet of wetlands. The parcel is located on the corner of Warren Street West and Orchard Street. It is approximately fifteen acres, with three acres of upland. All proposed work will be outside the 25 feet. The lot will be serviced by city sewer, well water, driveway with a two-car garage. The filing with Natural Heritage was in early March, although the applicant has not received a response.

Mr. Reynolds recommended the erosion control to be double row hay bale with silk fence.

Mr. McRae suggested signage along the 25 foot no touch.

Mr. McRae asked for public comment.

Dan Tripp, 545 Orchard Street asked for the access point for the proposed development. The entrance would be on Warren Street. The driveway will be approximately 75 feet from the property line and about 30 feet from an abutter.

Mr. Tripp's concern was that when they moved in, they were told it was wetlands and there will be building. He has questions as to how it will affect him and his neighbors.

Mr. McRae informed that the proposed is adhering to set backs mandated by the Building Department. Even though there are wetlands, there is a small portion of uplands that can be built on and as long as they meet the criteria set forth by the different Boards, they are conforming.

Mr. Boyden discussed the wetland line that goes through the property and the continuance into the abutting property.

Mr. Boyden requested a continuance until April 3, 2024.

Motion: Moved by Mr. Reynolds and seconded by Mr. Menconi to continue the Public Hearing for the Notice of Intent for 0 Orchard Street – Map 14, Lot 124 – DEP #269-1054 until April 3, 2024 at 5:30 p.m. pending receipt of a letter from Natural Heritage. Discussion: None. Vote: 5-0-0

INFORMAL

No business conducted.

General Business

Acceptance of Minutes – March 6, 2024

Motion: Moved by Mr. Reynolds and seconded by Mr. Menconi to approve the Conservation Commission meeting minutes of March 6, 2024 as printed. Discussion: None. Vote: 4-0-1 (Mr. Campbell abstained)

Bills

Bills reviewed and signed by the Commission.

Correspondence

The Commission received correspondence regarding 13 Broadway (DEP #269-1014) which was approved under an Order of Condition for a two-family with garage under. The applicant is proposing a single-family home with garage attached.

Mr. Etoniru informed that the foundation has been poured and they are looking for a Minor Modification.

Ms. Pacheco commented on the slope of the property and the location of the underneath garage.

Mr. Etoniru informed that the proposed will remain in the same footprint as originally proposed. The associated grading will be within the limit of work.

Motion: Moved by Mr. Reynolds and seconded by Mr. Menconi to approve a Minor Modification that can be reflected on the as built, DEP #269-1014. Discussion: None. Vote: 5-0-0

Site Visits

Mr. McRae conducted a site visit at 445 King Philip Street for the removal trees.

The area appears to be subjected to flooding, although not listed on any wetland maps. Noted on the property was a small swale before going out toward the back of the property. Approximately ten trees to be removed.

Mr. Etoniru informed that if there is no stump removal, he would have no objections.

Mr. McRae conducted a site visit to Carl Road where they have gone over the limit of work, hay bales are in place and they are pulling back work to the original limit of work.

Mr. McRae asked for a motion to adjourn.

Motion: Moved by Mr. Campbell and seconded by Mr. Menconi to adjourn from the Conservation Commission meeting of March 20, 2024 at 6:34 p.m. with no business to be conducted afterwards.

Discussion: None. Vote: 5-0-0

Respectfully submitted,

Dawn Caradonna

Recording Secretary

Next Scheduled Meeting

April 3, 2024 @ 5:30pm
