



**Raynham Conservation Commission  
Raynham, Massachusetts  
Regular Meeting  
March 6, 2024 @ 5:30 p.m.  
Donald L McKinnon Meeting Room**

**Members Present:**

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

**Staff Present:**

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

**Absent:** William Campbell – Commissioner

***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**

**Continued Notice of Intent**

251 Broadway Crossing LLC – DEP # 269-1046

The Board received correspondence from Ryan Prophett requesting a continuance.

**MOTION:** Moved by Mr. Menconi and seconded by Ms. Pacheco to continue the Notice of Intent, 2251 Broadway Crossing, LLC – DEP 269-1046 until March 20, 2024 at 5:30 p.m. Discussion: None.

Vote: 4-0-0

**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

The project is for a proposed addition in the rear to expand the business, 24 feet wide by 48 feet length, addition, to be in an area that is currently paved. No increase to impervious surface. The wetlands are close to edge of pavement especially in rear and side where addition is proposed. The existing building pre-dates the regulations of the Commission. Everything on site is within the 100 feet, pavement and building within the 25-foot buffer. Care will be taken to install the addition.

Mr. Reynolds informed that the property has been before the Commission previously. He asked if there were going to be disturbed areas beyond what is there now.

Mr. Gallagher informed that plantings are located on the parcel from the previous owners and they will not be disturbed.

Between the hay bale line and proposed addition, there is only a couple of feet. Mr. McRae asked about accessing the back of the building without going into wetlands.

Mr. Gallagher informed that there is about four feet between edge of building to wetland which will allow individuals to pass over for maintenance.

Mr. Reynolds stressed the concerns by the Commission on the disturbance in the wetlands to create the addition.

Mr. Etoniru commented on work performed when the property was purchased by the previous owners, and the Commission issued an Enforcement Order. The paved area was allowed by the Commission to stabilize the area and it includes wetland filling. This is the reason there was restoration work done, bushes along the edge of the pavement. There is a drainage pipe discharging into the wetlands. Mr. Etoniru asked for clarification on the discharge. The Order of Conditions stipulated a condition, to be on-going, for permanent warning signs to be installed at the edge of back area stating, “no work is authorized beyond this point.” There were sign(s) at the time to receive the Certificate. The owner has equipment and material stored in the wetlands as well as the 25 foot no activity. There is a possible an ongoing violation.

Mr. Gallagher discussed the material Mr. Etoniru spoke about, and informed that the boat and material is outside the wetlands. Material stock piled is from the previous owner.

Mr. Etoniru reviewed the records on file for the property and informed that a permanent living fence was outlined in the conditions. It was to extend the entire perimeter of the active area along with “no work” warning signs installed along the 25-foot wetland buffer.

The Commission commented on the Order of Condition going with the property not the owner.

If the signage was in place, then the boat and equipment would not be located where they are now.

Mr. Etoniru suggested the engineering stake the original limit of work as stipulated in the previous Order of Condition DEP#269-0956.

Mr. Etoniru read the Order of Condition stating the limit of work. If the engineer can stake the limit of work, then the Commission will be able to see whether there is a violation or not.

Mr. Logan informed that the erosion control is still in place around the property and is 10-12 feet behind where the boat is stored.

Mr. McRae asked if spray painting is done on the premise as the entire parking lot has a lot of yellow spray paint. Mr. Logan confirmed that he spray painted safety bollards about a year ago for a customer. The drainage pipe is located underground, and it appears to be connected to the downspouts as they are draining every time it rains.

Mr. McRae asked if the proposed project has been presented to the Planning Board as they may have an issue with it being zero access to the rear of the building for safety apparatus.

The Commission requested markings to be put in place by the engineer followed by an inspection by the Commission.

Ms. Pacheco asked about the fill under the pavement and if there is to be construction on top, will it be sturdy enough. Mr. Gallagher informed that until excavation occurs, they will not know what is located there.

**Motion:** Moved by Mr. Reynolds and seconded by Mr. Menconi to continue the Notice of Intent for 333 Richmond Street until March 20, 2024 at 5:30 p.m. Discussion: None. Vote: 4-0-0

### **Request for Determination of Applicability**

942 Broadway, Bristol County Savings Bank DEP # 269-1053

The advertisement for the Hearing was not adequately posted.

The Board did not open the Public Hearing, no actions taken.

### **INFORMAL**

No business conducted.

### **General Business**

#### Acceptance of Minutes – February 21, 2024

**Motion:** Moved by Mr. Reynolds and seconded by Mr. Menconi to approve the Conservation Commission meeting minutes of February 21, 2024 as printed. Discussion: None. Vote: 5-0-0

### **Bills**

Bills reviewed and signed by the Commission.

### **Correspondence**

The Board met yesterday with DCR regarding FEMA mapping for the Town. DCR is working with the Building Department to update map and regulations for flood zone in town.

DEP meeting for 110 South Street meeting on March 7, 2024 at 10:00 a.m.

The Building Inspector spoke to Mr. McRae regarding 15 Carl Road. A building permit was issued for a garage and septic work. The project did not come before the Commission. At the request of the Building Inspector, Mr. McRae visited the site and spoke to the homeowner. The project appears to be happening on existing grass area. Mr. McRae instructed the homeowner to install hay bales at edge of grass where there is a slope with no work beyond the hay bales. Mr. McRae received another call from the Building Inspector yesterday. He conducted another site visit where a significant amount of fill, approximately 6-8 feet, has been done well beyond where they were supposed to stop. Mr. McRae had pictures showing erosion going towards the pond on White Street and trees were taken down. While on site, Mr. McRae discussed the previous request to install hay bales. The homeowner informed Mr. McRae that they were installed. No hay bales were on site; therefore, fill was placed over the hay bales. Mr. McRae recommended issuing an Enforcement Order.

**Motion:** Moved by Mr. Reynolds and seconded by Mr. Menconi to issue an Enforcement Order for 15 Carl Road. Discussion: None. Vote: 4-0-0

### **Site Visits**

No scheduled site visits.

Mr. McRae asked for a motion to adjourn.

**Motion:** Moved by Mr. Menconi and seconded by Mr. Reynolds to adjourn from the Conservation Commission meeting of March 6, 2024 at 6:06 p.m. with no business to be conducted afterwards.

Discussion: None. Vote: 4-0-0

*Respectfully submitted,  
Dawn Caradonna  
Recording Secretary*

***Next Scheduled Meeting***

March 20, 2024 @ 5:30pm
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