

**Raynham Conservation Commission**

**Raynham, Massachusetts**

**Regular Meeting**

**January 5, 2022 @ 5:30pm**

**Donald L McKinnon Meeting Room**

**Members Present: Staff Present:**

Mr. Dave McRae – Chairman Mr. Azu Etoniru Conservation Consultant - Absent

Mr. Bill Reynolds–Commissioner Ms. Dawn Caradonna – Recording Secretary

Mr. William Campbell – Commissioner Ms. Claudette Perry – Conservation Assistant

Mr. Kevin Moreira-Commissioner

***Called to Order:***

Mr. Dave McRae called the meeting to order at 5:30pm

He informed that all Conservation Commission meetings are recorded.

**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 filing 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 Request for** **Amended Order of Conditions –** 1000 New State Highway, SE 269-0934

Present was Mr. Daniel Gagnon, Bales and Thomas and Mr. Paul DeAngelo, applicant.

Letter with as-built plan sent to the Commission yesterday. The Enforcement Order issued by the Commission and the filing by the application for the Amended Order of Conditions happened around the same time. The Commission requested, from the applicant, additional information on the drainage installed on site. As requested, all vehicles have been removed from the site and new erosion controls have been installed around the perimeter of the property. An as-built has been submitted for the storm water on the site and it was found that only a small amount of the infrastructure was installed. They are currently working on a valued engineering system that will have less pipes and structure and will meet stormwater standards. The initial drainage was designed for buildings that were proposed on site. The new design will be modified to accommodate the proposed use of the site.

Mr. McRae informed that correspondence was sent to the applicant informing them of five (5) late notices for continuances of meeting. All notices were received less than 24 hours of the scheduled meeting date and a fine of $250 was assessed. The payment for the fine was received on January 4, 2022.

Mr. Gagnon informed that there are no plans to be presented on the new design as they are in the design phase of the project.

Mr. Etoniru, conservation Agent, will need to review the as-built as presented. McRae suggested a continuance until the next Conservation Commission Meeting on January 19, 2022.

Members of the Commission thanked the applicant for the efforts of moving the vehicles, it was greatly appreciated.

Mr. Gagnon request requested a continuance until the next Conservation Commission Meeting on January 19, 2022.

**MOTION:** Moved by Mr. Moreira and seconded by Mr. Reynolds to continue the Public Hearing for Request for Amended Order of Conditions **–** 1000 New State Highway, SE 269-0934 until January 19, 2022 at 5:30pm. Discussion: None. Vote: 4-0-0

**Continued Abbreviated Notice of Resource Area Delineation (ANRAD**) – 1958 Broadway,

SE 269-1023

Present was Mr. Thomas Morin, Bales Associates.

ANRAD plan presented during the last meeting. A site visit was conducted with members of the Commission and Mr. Etoniru. During the on-site meeting, Mr. Reynolds and Mr. Moreira discussed where the proposed road will be installed, and the excess debris currently located on site.

Mr. Moreira recommended silk fence with hay bales to be installed at the property line to aid in the possible contamination of the abutting land. The parking lot and area along the property line has a lot of scrub brush. Applicant agreed to clean the area and re-landscape. Some of the clean-up is in the 25 foot no touch and will be noted on the plans as such. Mr. Moreira informed that there are deposits of peat throughout. The peat will be excavated and possibly moved along the edge where no work is being done. This would not affect the ANRAD as presented.

Present was Mr. Thomas Grieco. He spoke of correspondence sent to the Board of Health regarding the property. Mr. McRae explained the process of the ANRAD before the Commission and informed Mr. Grieco that the applicant is not proposing any work at this time. The meeting tonight is only for the wetland line.

**MOTION:** Moved by Mr. Moreira and seconded by Mr. Reynolds to close the Public Hearing for Abbreviated Notice of Resource Area Delineation (ANRAD) – 1958 Broadway, SE 269-1023. Discussion: None. Vote: 4-0-0

**Request for** **Determination of Applicability –** 129 South Main Street

Mr. Campbell read the Public Hearing notice.

The proposed is for an installation of gas service.

Based on notes from the Conservation Commission Agent, he would recommend approving with a Negative Determination.

**MOTION:** Moved by Mr. Moreira and seconded by Mr. Reynolds to close the Public Hearing for Request for Determination of Applicability – 129 South Main Street. Discussion: None. Vote: 4-0-0

**MOTION:** Moved by Mr. Moreira and seconded by Mr. Reynolds to issue a Negative determination for the Request for Determination of Applicability – 129 South Main Street. Discussion: None. Vote: 4-0-0

**Notice of Intent** – 90 Cody Lane, SE 269-1025

No representation for the Public Hearing.

*Disclosures*

Mr. McRae informed the applicant, Mr. Dave Leghetto is a neighbor.

Mr. Moreira informed that his son works for Barrels & Boards for which Mr. Laghetto owns.

Those present acknowledged the disclosures and had no issues.

**Notice of Intent** – 77 Broadway, SE 269-1026

Mr. Campbell read the Public Hearing notice

Present was Mr. Eric Diaz, Strong Point Engineering and applicants Mr. Dave Laghetto and Mr. Dean Saxonis

The applicant seeks review and approval for a seasonal walk-up restaurant and parking lot.

The existing conditions has 100 ft of BVW, a stream that runs through the site within 200 ft of river front with bordering land that is subjected to flooding. Every inch of the parcel is within the buffer zone and is disturbed up to the wetlands. Impervious surfaces will become pervious surfaces as outlined on the plans. The proposed project will be pulled away from the wetland area except for the driveway entrances. Redevelopment site under MassDOT stormwater standard. Water flows towards the wetlands and the applicant is proposing to install a water quality trench. Comments received from DEP regarding the stormwater with a question on the standard TSS removal being met. Correspondence was sent by the applicant to the DEP on December 21, 2021. The applicant received a letter from Natural Heritage stating that there is no taking and exempt from filing with them.

The seating area in the rear of the property will have grass with gravel under the benches.

A waiver was proposed for a small amount of work to be done in the buffer zone.

No test pits on site and they are proposing to raise the site about 1 foot.

Mr. McRae suggested fencing along the rear of the property, where the picnic area is proposed, for debris especially seeing that the project is right up against the wetlands.

Recharge information as well as quality trench and calculation to be presented to the Commission for the

Agent to review.

The applicant and Commission discussed a continuance until the next Conservation Commission meeting.

Mr. Diaz requested a continuance until the next meeting.

**MOTION:** Moved by Mr. Moreira and seconded by Mr. Reynolds to continue the Public Hearing for a Notice of Intent – 77 Broadway, SE 269-1026 until January 19, 2022 at 5:30pm. Discussion: None.

Vote: 4-0-0

**General Business**

Acceptance of Minutes – December 8, 2021

**MOTION:** Moved by Mr. Reynolds and seconded by Mr. Campbell to accept the Conservation Commission Minutes of December 8, 2021 as printed. Discussion: None. Vote: 3-0-1 (Mr. McRae abstained)

Bills

The Commission approved and signed bills presented.

Correspondence

The Commission received notice of a Public Hearing form the Board of Appeals for 1000 New State Highway.

Correspondence was received regarding proposed Estate Lot on Broadway.

Site Visit

No site visits scheduled

Miscellaneous

Mr. Reynolds informed that he was invited to a conference call regarding the site of the old Gulf Gas Station on Broadway. The proposed plan is for a larger gas station and convenient store.

Action Item

**Vote** - Order of Conditions - King Street Cross Country Sewer Line Access, SE DEP 269-1024

**MOTION:** Moved by Mr. Moreira and seconded by Mr. Reynolds to issue the Order of Conditions for King Street Cross Country Sewer Line Access, SE DEP 269-1024. Discussion: None.

Vote: 3-0-1 (Mr. McRae abstained)

DID ANYONE RECUSE HIMSELF OR HERSELF, OR LEAVE EARLY; IF SO, FOR WHAT HEARING: **NO**

**ADJOURNMENT**

Mr. Reynolds asked for a motion to adjourn.

**MOTION**: Moved by Mr. Moreira and seconded by Mr. Reynolds to adjourn from the Conservation Commission Meeting of January 5, 2022 at 6:43pm with no business to be conducted afterwards.

Vote: 3-0-0

*Respectfully submitted,*

*Dawn Caradonna*

*Recording Secretary*

***Next Scheduled Meeting***

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| January 19, 2022 @ 5:30pm |