



**Raynham Conservation Commission
Raynham, Massachusetts
Regular Meeting
September 21, 2022 @ 5:30pm
Donald L McKinnon Meeting Room**

Members Present:

Mr. Dave McRae – Chairman
Mr. Bill Reynolds – Commissioner
Mr. Riley Menconi - Commissioner
Mr. Kevin Moreira - Commissioner
Mr. William Campbell – Commissioner

Staff Present:

Mr. Azu Etoniru - Conservation Consultant
Ms. Dawn Caradonna – Recording Secretary
Ms. Claudette Perry – Conservation Assistant

Called to Order:

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

Request for Determination of Applicability – Eversource Rt. 138 Gas Main Installation Project

Mr. Campbell read the Public Hearing notice.

The project is for a gas pipe line located between 251 - 728 Broadway. Present was Mr. David Hallowell representing Eversource.

All work within the roadway and buffer zone. Some work within the 100-foot buffer zone on the northeast end of the project. Straw wattles are proposed for the erosion control. Work will be in done by open trench method with back fill or steel plates installed at the end of each day. Siltsacks to be installed in the catch basins for catching of sediment. Monitoring will be done during construction for any replacement of siltsacks or straw wattles. Proposed work to begin in December with a time frame of 2-3 months to complete.

Mr. Etoniru informed that there should not be any stock piling of material overnight.

Motion: Moved by Mr. Moreira and seconded by Mr. Campbell to close the Public Hearing for the request for Determination of Applicability, Eversource Rt. 138 Gas Main Installation Project.

Discussion: None. Vote: 5-0-0

Motion: Moved by Mr. Moreira and seconded by Mr. Campbell to issue a Negative 3 Determination of Applicability, Eversource Rt. 138 Gas Main Installation Project. Discussion: None. Vote: 5-0-0

Notice of Intent – 221 South Street East (SE 269-1033)

Mr. McRae read the Public Hearing notice

The owners of the property are Brad and Marc O'Brien. Representation was present from Ecosystem Solutions, Inc., Warwick RI.

The site is a single wetland on north end of the property. The lot was originally recorded back in 1874 with a structure constructed on the property somewhere between 1870-1920. The BVW currently follows

a break in slope which has existed for quite some time on the property. The O'Brien's engaged in unpermitted work in BVW - pile of fill/sediment within the wetlands, rip rap and boulders along the wetlands and three mature maple trees were cut down. Outside the BVW on south side of the boundary line, gravel, fill and loam was placed for the purpose to seed an area where a pool was taken down. The owners have not seeded the area.

Proposal to correct unpermitted work in BVW will be to remove the sediment and riprap with three mature maple trees planted and New England wet mix spread within the disturbed area of the wetlands. The proposal to correct the buffer zone disturbance is to stabilize the area as it is now. To prevent any future disturbance in the wetlands, they are proposing to plant a boundary of shrubs to prevent any access to the wetlands. A single tree was also cut down due to danger. An Ash tree will be planted in the same place that the single tree was cut. A metal storage container is currently in the buffer zone adjacent to the wetlands and it too will be removed.

Mr. Etoniru informed that their proposal would be the function for this time of the year. Erosion control should be in place and maintained. Plantings should be done with a site visit conducted in the spring.

Rhododendrons or cedar will be placed for upland environment. Mr. Etoniru informed that a detail on the plants will be necessary for the Commission including the spacing for the shrubs and caliper of the trees. Mr. McRae informed that he would like to see 2-3" caliper trees since mature trees were cut. Mr. Campbell would like to see the Commission's required signage requirement along the shrub line stating no work beyond this point.

Once approved by the Commission, the O'Brien's have access to equipment for the removal of items as stated.

Mr. McRae stated the because we are coming out of the growing season, he would like to see the straw wattles replaced with hay bales and stakes. Mr. Etoniru recommend the install of silt fence on the back side of the hay bales due to the proximity to the pond.

McRae advised that once the stumps, rocks, and container is removal, the Commission will need to be notified, and a site visit will be scheduled. Because this issue has been going on for some time, he would like to see progress within the next month.

Present was Mr. Edward Booth, 245 South St East. He asked how the plantings will restore the wetland area. He has lived there 80 years and because what has been done, there is all kind of water on his property. He asked if the trees on his property will be replaced. Mr. McRae explained the proposed work to correct the area. Mr. Etoniru informed that the Commission cannot order anyone to conduct work on someone else property. Ecosystem will communicate the concerns of Mr. Booth to the property owners.

A request was made to close the Public Hearing

Motion: Moved by Mr. Moreira and seconded by Mr. Campbell to close the Public Hearing for Notice of Intent, 221 South Street East (SE 269-1033). Discussion: None. Vote: 3-0-0

Motion: Moved by Mr. Moreira and seconded by Mr. Campbell to issue the Order of Conditions for 221 South Street East (SE 269-1033) with conditions listed above and with the Enforcement Order to remain active. Discussion: None. Vote: 5-0-0

INFORMAL

Issuance of Order of Conditions – Lot 2 Church Street (SE269-1034)

Motion: Moved by Mr. Moreira and seconded by Mr. Campbell to issue an Order of Conditions for, Lot 2 Church Street (SE269-1034). Discussion: None. Vote: 4-0-1 (Mr. Campbell abstained)

Discussion Violation – 63 Gardiner Street

Letter of Violation issued to property owners of 63 Gardiner Street. Mr. McRae has arranged to conduct a site visit on October 7, 2022 at 11:00am.

General Business

Acceptance of Minutes – September 7, 2022

Motion: Moved by Mr. Reynolds and seconded by Mr. Menconi to accept the Conservation Commission Minutes of September 7, 2022 as printed. Discussion: None. Vote: 3-0-2 (Mr. Campbell and Mr. Moreira abstained)

Correspondence

No correspondence received since the last meeting.

Bills

The Commission reviewed and signed bills presented.

Schedule Site Visit

Mr. McRae conducted a site visit at the Temple property on South Street. There are two lots next to Temple, owned by Temple and in between the two properties is an old car path that leads to a very large field that abuts the Taunton River, therefore, the field is within the river front. The Temple has large events during the year and cars are being parked at J&J and South Street School. Participants are then shuttled to the event at the Temple. The owners of the Temple are looking to get permission to clean the car path, grade with gravel for a through way to park cars. Some of the larger events have upward of 6,000-7,000 people attending.

Mr. McRae presented photos to the members of the Commission.

Members discussed the proposed work being out of the jurisdiction of the Commission due to farming and agriculture. Mr. Etoniru asked if the lot is Agricultural property? Mr. McRae did not believe they have a 61A. The field may be cut for hay, but there are no crops.

Before approval on the use of the field, Mr. Moreira would like verification on the use of the field during the winter months due to plowing.

If the lot is agricultural use, therefore, the path work would be allowed. If the field is not used as an active agricultural field, it won't be allowed. Therefore, an NOI or possibly RDA will need to be filed.

Mr. Etoniru explained the difference between having a 61A or not.

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

ADJOURNMENT

Mr. McRae asked for a motion to adjourn.

Motion: Moved by Mr. Moreira and seconded by Mr. Campbell to adjourn from the Conservation Commission Meeting of September 21, 2022 at 6:10pm with no business to be conducted afterwards.

Vote: 5-0-0

Respectfully submitted,

*Dawn Caradonna
Recording Secretary*

Next Scheduled Meeting

October 5, 2022 @ 5:30pm
