



**Raynham Conservation Commission
Raynham, Massachusetts
Regular Meeting
September 20, 2023 @ 5:30 p.m.
Donald L McKinnon Meeting Room**

Members Present:

Dave McRae – Chairman
Bill Reynolds – Commissioner
William Campbell – Commissioner
Riley Menconi - Commissioner

Staff Present:

Azu Etoniru - Conservation Consultant
Dawn Caradonna, Recording Secretary
Amy Engelhardt- Conservation Clerk

Called to Order:

Mr. Dave McRae called the meeting to order at 5:32 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 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

- **Notice of Intent** – 251 Broadway Crossing LLC – DEP #269-1046

Mr. Campbell read the Public Notice.

Present was Dan Andrade, owner and Attorney Ryan Prophett.

The parcel contains five lots located at a continuous site known as Broadway Crossing. The Town granted a sand and gravel permit last fall for the site. The parcels contained three house which have all been demolished and the five lots contain three curb cuts along Broadway. Wetlands are located on and off site. There are wetlands located on the east side of the property and southeast portion with isolated wetlands on the northeast side of the BVW. The proposed project is for seven buildings with a total of 240 units-40B multi residential housing. Six buildings to be three-stories high and one building to be four-stories high with associated parking and pedestrian circulation, a maintenance building and a club house building on site. Approximately 82,000 square feet of buffer zone impacted with 21,000 square feet within the 25 foot no touch buffer where work will be limited to hand tools only. Approximately 61,000 square feet between 25-100 feet of BVW and isolated wetlands. The site will contain six acres of new impervious surface, road and roof surface. Proposed infiltration of runoff thru site stormwater drainage containing three infiltration basins; one located near Broadway and two located on the north side of the parcel. The site has been loamed and seeded to alleviate stormwater runoff. A supplemental plan will be submitted to address the concern by MassDEP which was discharge to the well on a parcel toward the rear of Broadway Crossing in SW corner of the site.

Mr. Etoniru discussed the separation from ground water and informed that plans will need to be stamped or signed by surveyor.

It was informed that eight test pits were performed with two feet of separation.

Mr. McRae stated that the wetlands cannot be looked at or verified because the area has already been disturbed. The correct process was to have the area flagged, application filed with the Commission followed by a scheduled meeting and a scheduled site visit to verify the erosion control.

Mr. Andrade informed that the flags have not been touched and they are on site.

With activity in buffer zone, Mr. Etoniru stated that there is no way to determine the wetland line by species, etc. Work was completed in an area for which the Commission has jurisdiction over.

Mr. Etoniru said it is the owner's responsibility to know where the buffer zone is.

Mr. Andrade offered to have the wetland scientist walk the site with the Commission.

Mr. Campbell informed that the proper process is to have the flagging approved by the Commission and then perform work. At this point, there is no way to determine the wetlands. He said he also has concerns with the stormwater proposed and asked for a long-term plan for maintenance of the stormwater system.

Mr. Andrade informed that the plans contain a drainage report, operation plan and long-term maintenance especially to the proximity of the drinking source.

Mr. McRae stated that the Commission has not received comments from the North Raynham Water District.

Present was Arthur Bendinelli, North Raynham Water District Superintendent. He said the site was developed and cleared very quickly. The impact report filed by the applicant is still under peer review. The North Raynham Water District is not sure the estimated amount of water can be supplied for the project. The site has a lot of runoff due to the clearing. He requested test results.

Present was Mr. Robert Hawkins, representing his client J & A Auto Center. Mr. Hawkins informed that a letter and engineering report was submitted to the Commission regarding his client's property. They continue to work with the attorney and engineer on the problem. His client has had considerable amount of flooding and is requesting a temporary and permanent solution to the flooding at his property.

Attorney Prophett informed that they are aware of the flooding at 211 Broadway. An engineer has been contacted and is doing what is necessary for a temporary and permanent solution.

Mr. Andrade reviewed the timeline from November 2022 when the wetlands were delineated to present including clearing of debris on the property under the sand and gravel permit. He informed that he was under the assumption with the filing under a 40B project that the 25 foot would be under the 40B. The initial waddles installed, remain. Some loam was taken off site with the remaining moved to back edge about one foot high and hydroseeded. All banks are being held with loam, seed and grass which has grown well. He apologized for the work in the 100-foot and the clean out of debris in the 25-foot. The proposed project is before the Zoning Board of Appeals.

Mr. McRae questioned a few flags on the plan and informed that the Commission will not conduct a site visit until a final plan is submitted.

The applicant requested a continuance until October 18, 2023.

Motion: Moved by Mr. Reynolds and seconded by Mr. Menconi to continue the Notice of Intent – 251 Broadway Crossing LLC – DEP #269-1046 until October 18, 2023 at 5:30 p.m. Discussion: None. Vote: 4-0-0

- **Notice of Intent** – 275 Finch Road

Mr. Reynolds read the Public Notice.

Present was Evan Watson, W. Engineering.

The proposed is for the construction of a pool, shed, patio and replacement of existing deck.

Mr. Erosion informed that the proposed is at the 25 foot no touch and double row hay bales are proposed.

The applicant requested an approval to change the erosion control to straw waddles, proposal for screen plantings on one side, and the removal of a birch tree in the 25 foot. The original plans from 2005 show a post and rail fence which no longer exists. The plans show fiberglass markers. The area is flat; therefore, no grading will be necessary. The area will be fenced in and cartridge filters will be used for the pool with no back wash.

DEP has not issued a file number.

Mr. Etoniru informed the Commission that no action can be taken without a file number.

Mr. Watson requested a continuance until the next meeting.

Motion: Moved by Mr. Reynolds and seconded by Mr. Menconi to continue the Notice of Intent – 275 Finch Road until October 4, 2023 at 5:30 p.m. Discussion: None. Vote: 4-0-0

- **Continued Notice of Intent** – Layla Estates – DEP #269-1037

Present was Evan Watson, W. Engineering.

Due to possible conflict of interest, Mr. Etoniru disclosed that he is working with the developer on a project in another Town. The Commission did not have any issues with this matter.

Originally, the project was designed as a cluster subdivision. They are before the Commission with a change to a definitive subdivision based on recommendations by the Planning Board.

The project will have a natural detention basin which will reduce land disturbance.

Based on the comments from the Planning Board Engineer, Nitsch Engineering, erosion control detail added, sewer type, master plan to be stamped by architect. The cover sheet on the plans depicts the erosion control. Approximately 4-5 homes will require an NOI to be filed. The project is proposing infiltration for roof runoff.

The Raynham Center Water District approved the water line extension. The Sewer Department approval is pending final review through Tighe & Bond. The project continues to be reviewed by Planning Board and will be meeting with them on September 21, 2023.

The commissioner required a full set of plans.

Mr. Watson requested a continuance until the next meeting for the submittal of the revised plans.

Motion: Moved by Mr. Menconi and seconded by Mr. Campbell to continue the Notice of Intent – Layla Estates – DEP #269-1037 until October 4, 2023 at 5:30 p.m. Discussion: None. Vote: 4-0-0

- **Certificate of Compliance** – 140 Gardiner Street, DEP #269-1036

Mr. McRae informed that the application for a Certificate of Compliance is being withdrawn by the applicant.

- **Certificate of Compliance** – 445 King Philip St, DEP #269-473

Present was Attorney Richard Bentley.

During a title exam, it was found that a partial Order of Conditions were issued.

Over the past ten years, the work specified to receive a full Certificate has been satisfied.

Mr. Etoniru agreed that the work was completed.

Motion: Moved by Mr. Reynolds and seconded by Mr. Campbell to issue the Certificate of Compliance – 457 King Philip St, DEP #269-473. Discussion: None. Vote: 4-0-0

INFORMAL

No discussion

General Business

Acceptance of Minutes – September 6, 2023

Motion: Moved by Mr. Reynolds and seconded by Mr. Menconi to accept the Conservation Commission Minutes of September 6, 2023 as printed. Discussion: None. Vote: 4-0-0

Bills

Commission members reviewed and signed bills presented.

Correspondence

Site Visits

Mr. McRae attended a site visit on Tuesday for the Gardiner Street Bridge. The Dam Safety Engineer advised that no work to begin until the pond is dry. DEP was present with a liaison for the conservation. The representative suggested the contractor provide a monitor on the Conservation behalf. The Commission will need to draft a list of wetland scientist.

Dog Track on Rt. 138

Material was brought in and possibly could be encroachment on the north front corner of the property. Mr. Reynolds to conduct the site visit on Friday.

890 Broadway

Mr. Etoniru informed that the area to restore the wetlands was found to have concrete under the soil. The applicant will be removing the asphalt and updated plans will depict the building location and restoration area.

Mr. McRae asked for a motion to adjourn.

Motion: Moved by Mr. Menconi and seconded by Mr. Campbell to adjourn from the Conservation Commission meeting of September 20, 2023 at 6:40 p.m. with no business to be conducted afterwards.

Discussion: None. Vote: 4-0-0

Respectfully submitted,

Dawn Caradonna

Recording Secretary

Next Scheduled Meeting

October 4, 2023 @ 5:30pm
