



**Raynham Conservation Commission  
Raynham, Massachusetts  
Regular Meeting  
December 6, 2023 @ 5:30 p.m.  
Donald L McKinnon Meeting Room**

**Members Present:**

Dave McRae – Chairman  
William Campbell – Commissioner  
Riley Menconi – Commissioner

**Staff Present:**

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

**Absent:** Bill Reynolds – Commissioner

***Called to Order:***

Mr. Dave 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

Present was Jesse Aguiar, Civil Engineer for High Point Engineering and Ryan Prophett, Legal Counsel. Proposed 40b residential development at 251 Broadway namely 251 Broadway Crossing LLC, Care of Advanced Development Incorporated.

Since the last meeting with the Commission on September 20<sup>th</sup>, there has been design changes and subsequently a comprehensive permit submission to the Raynham Zoning Board of Appeals. The submission received technical review comments from their third-party consultant., JC Engineering. A hearing has been continued until December 13, 2023. No response from JC Engineering on revised design. Among the changes was a revision to the storm water management design regarding the runoff characteristics of 211 Broadway which is the car dealership property located on Broadway. The runoff sheets over land under existing conditions in an easterly direction to an existing wooded natural depression, uncontrolled and with no pre-treatment. A short-term temporary construction was created to mitigate the runoff effects of the construction site. A replacement of the previously existing depression with a proposed temporary infiltration basin, two Upstream sediments for Bays to handle the entire overland runoff from 211 Broadway onto the 251 Broadway site as well as the portion of the project property that's tributary in that location. Proposing for 211 Broadway is a continuous cast in place, reinforced concrete trench drain with a pitch trough and steel drop in L graded along the entire length. Therefore, the flow will be by pipe onto our property through a water quality pre-treatment hydrodynamic separation unit to an underground detention and infiltration system which we have added to mitigate the

runoff effects from 211 Broadway so that would provide detention as well as infiltration and water quality associated with the overall treatment.

In response to the comments that came from MassDEP on the initial Notice of Intent submission regarding a storm discharge to the zone one Wellhead protection area, the design changed to tie into another new infiltration system also underground downstream with the overflow discharging to the bordering vegetated Wetland on site. Additional revisions to the site plan include storm water management system with the bottom of basin treatment for the three vegetated detention and infiltration basins located at the side entrance adjacent to the isolated Wetland are south. Considering the surface, they also added draw down mechanisms for maintenance purposes within those basins. Pipes with invert located at the bottom of the basins with gate valves so that they can remain closed and only opened if the bottoms of the basins need to be maintained if there is a ponding situation. A six-foot-high black vinyl clad chain link security fence installed along the rear property line, per the request of the North Raynham Water Commission. The front basin will have added wooded plantings along the rear property line between the limit of work and parking area on the eastern most portion of the property.

Mr. Etoniru said the main issue right now is the work that was done on the property related to the where the resources are. The Commission's process is to review the area, although there has been a lot of activity going on. Based on the proposed plan, the Commission needs to review the resource boundaries that were established so that we can make an assessment as to the extent of the violation that might have occurred.

Mr. McRae informed that there has not been anything done to address this since the last meeting.

Mr. Aguiar informed that the applicant has stopped all work in the buffer zone, and he ensured the Commission that all wetland flags are visible. The applicant is open to having the commission visit the site to observe the existing conditions.

Mr. Campbell asked if signage is proposed for the limit of work and was surprised the applicant did not receive comments from DEP due to being close to the wellhead protection area.

Mr. McRae questioned snow storage and maintenance plans.

Mr. Aguiar informed that they have not received specific comments from the Water Commission and the plans will show a snow storage location along with a maintenance plan for snow removal.

Mr. McRae recommendation to the Commission is to hire a consultant to perform drillings, diggings, whatever is needed to establish that no fill has gone in on top of the buffer zone and to determine exactly where the buffer zone is.

No public comments

Mr. McRae asked if the applicant would like to continue the public hearing.

Mr. Aguiar asked for a continuance.

**MOTION:** Moved by Mr. Campbell and seconded by Mr. Menconi to continue the Public Hearing for Notice of Intent, 251 Broadway Crossing LLC, DEP #269-1046 until January 3, 2023 at 5:30 p.m.

Discussion: None. Vote: 3-0-0

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

0 Hall St., Map 3 Lot 312-B

The Commission was awaiting confirmation from natural heritage. A letter was received which stated there was no significant issues.

**Motion:** Moved by Mr. Campbell and seconded by Mr. Menconi to approve the request for a Determination of Applicability, 0 Hall St., Map 3 Lot 312-B with a Negative 3 Determination, inspection of erosion control prior to construction, signage, and standard conditions. Discussion: None.

Vote: 3-0-0

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

Raynham Center Water District

Present was Melissa Cody, Tighe & Bond; Danielle Texeira, Project Manager and Engineer for the Project and Jon Chase, Raynham Water Superintendent.

The proposed project is for the construction of two new PFAS water treatment plants at 626 Elm Street East, map 2A, lot 16, 418 Titicut road, map 6, Lot 23-1. The proposed work includes the 100-foot buffer zone of wetland including maintenance and Improvement of the existing drinking water facilities.

There is proposed clearing of some vegetation, construction of the stormwater management system, repaving of the driveway, and other utilities proposed within the 100-foot buffer zone. A majority of the work is within the footprint of the existing facility. Propane tanks will be installed on concrete pads next to the driveway and the erosion control, hay bales, will be inside the 50 feet.

No public comments

The second portion of the proposed construction is for the John P Lynn Water Treatment plant site at Gushy Pond. All activities will be outside the buffer zone. An electrical conduit will be extended to well number two which is adjacent to the buffer zone. Essentially outside the 100-foot buffer zone but there will be work at both sides therefore, Tighe & Bond included both for the sake of completeness and that will be just a one day dig in.

The Water District is seeking a Negative Determination

No public comments

The Commission suggested the use of straw waddles for the erosion control.

**Motion:** Moved by Mr. Reynolds and seconded by Mr. Menconi to approve the Request for Determination of Applicability, Raynham Center Water District with a Negative 3, standard condition, erosion control inspection prior to construction. Discussion: None. Vote: 3-0-0

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

265 Prospect Hill St.

Mr. McRae read the Public Hearing notice.

The building permit was issued prior to coming before the Commission. The construction is for an attached garage, 24 x 25 feet approximately 22.7 feet from the wetland flags. Upon a drive-by, Mr. McRae noticed the garage was up against the stream. Immediately, Mr. McRae spoke to the homeowner and requested all work to stop and hay bales installed for erosion control along edge of stream. Since then, the hay bales were installed. All engineering work was completed by Outback Engineering.

Mr. Etoniru informed that this is an established grandfathered lot, therefore the Commission could consider waiving the 25-foot no touch.

The Commission discussed the construction near the wetland flags and the drop off approximately 7-8 feet toward the stream.

Mr. Etoniru recommended erosion control in place until completion of construction, signage along edge of foundation stating no work beyond this point, reestablish disturbance with a wetland mix and highbush blueberry.

**Motion:** Moved by Mr. Campbell and seconded by Mr. Menconi to approve the Request for Determination of Applicability, 265 Prospect Hill Street, Negative Determination with erosion control remaining in place until disturbed area has growth, signage along edge of garage, reestablish disturbed area with plantings. Discussion: None. Vote: 3-0-0

### **Request for Amended Order of Conditions**

890 Broadway – DEP #269-1038

Mr. McRae read the Public Hearing notice.

Present was Bob Crowell, Crowell Engineering, land owner Bill Adams and Peter Maroni, contractor.

Mr. Crowell reviewed the site area and proposed work to remove a pile of asphalt and concrete.

Mr. Etoniru informed that the wetland line was reflagged and will need to be reviewed.

Mr. McRae commented on the corner of the building being only thirteen feet from the wetlands. He said each corner should be twenty-five feet away.

Mr. Campbell asked if the elevation/grading was new.

Mr. Crowell informed that the grading is the same only new soil.

Mr. Campbell would like to see the building pulled back more, away from the wetlands.

Since the first discussion, Mr. McRae said nothing has changed to move the building away from the 25-foot no touch. Because the plans did not change the orientation of the building, Mr. McRae is inclined to deny.

The applicant requested a continuance until January 17, 2024.

**Motion:** Moved by Mr. Menconi and seconded by Mr. Campbell to continue the Public Hearing for a Request for Amended Order of Conditions, 890 Broadway, DEP #269-1038 until January 17, 2024. Discussion: None. Vote: 3-0-0

### **Request for Order of Conditions (3 Year) Extension**

South Coast Rail – DEP #269-0946

Present was Dr. L Carlson and Hean Fox from MassDOT

Dr. Carlson informed that the request is an administrative matter. The work is not quite done; therefore, they are requesting a three-year extension.

**Motion:** Moved by Mr. Campbell and seconded by Mr. Menconi to issue an extension for Order of Conditions extension for South Coast Rail, DEP #269-0946 for three years. Discussion: None.

Vote: 3-0-0

**Request for Certificate of Compliance**

0 Richmond St. – DEP# 269-1022

**Motion:** Moved by Mr. Campbell and seconded by Mr. Menconi to issue a Certificate of Compliance, 0 Richmond Street, DEP #269-1022. Discussion: None. Vote: 3-0-0

**Request for Certificate of Compliance**

85 Raymond Ave – DEP# 269-1019

**Motion:** Moved by Mr. Campbell and seconded by Mr. Menconi to issue Certificate of Compliance, 85 Raymond Ave, #269-1019. Discussion: None. Vote: 3-0-0

**Request for Certificate of Compliance**

3 Carlton St. – DEP #269-1020

**Motion:** Moved by Mr. Campbell and seconded by Mr. Menconi to issue Certificate of Compliance, 3 Carlton Street, DEP #269-1020. Discussion: None. Vote: 3-0-0

**INFORMAL**

Kathy Romero – SAVE Program

Mr. and Mrs. Romero completed their SAVE Program projects for this year. Ms. Romero explained the clean up they did at Hewitt's Pond and documentation of the mills on both branches of the Forge River. Ms. Romero requested paperwork to be signed by the Commission for the Board of Assessors. The Romero's plan on continuing with projects for the Town and Mr. McRae suggested a project for next year, possibly documentation on the spill way on Gardiner Street. Mr. McRae along with Board members thanked both Mr. and Mrs. Romero for all the work they do.

**General Business**

Acceptance of Minutes – November 15, 2023

**Motion:** Moved by Mr. Menconi and seconded by Mr. Campbell to approve the Conservation Commission meeting minutes of November 15, 2023 as printed. Discussion: None. Vote: 3-0-0

Bills

The Commission reviewed and signed bills presented.

Correspondence

The Commission received a letter of interest form Linda Pacheco on the Conservation Commission vacancy.

Mr. McRae suggested the letter be forwarded to the Board of Selectmen for appointment.

**Site Visits**

No site visits scheduled.

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 December 6, 2023 at 6:50 p.m. with no business to be conducted afterwards.

Discussion: None. Vote: 3-0-0

*Respectfully submitted,  
Dawn Caradonna  
Recording Secretary*

***Next Scheduled Meeting***

January 3, 2024 @ 5:30pm
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