



**Raynham Conservation Commission
Raynham, Massachusetts
Regular Meeting
July 13, 2022 @ 5:30pm
Donald L McKinnon Meeting Room**

Members Present:

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

Continued Notice of Intent – 1023 Broadway, SE269-1030

Present was Rihanna Summers, Epsilon Associates, Mr. Chris Moula, GPI and Mr. Mike Durant, Noria. Changes to the plan include comments from Mr. Etoniru and Raynham Planning Board consultant, Nitsch Engineering. The only comments from Nitsch Engineering were to add a couple of waiver notes to the cover sheet.

Mr. Moula would like to review/discuss comments from the July 11th comment letter.

Comment – 1, regard to the rip rap apron on the basin and the small overflow, the comments were to either redesign or provide adequate documentation that the rip rap was adequate. The intent of the infiltration basin is to provide a measure of infiltration on the site and in order to provide the basin there needs to be an outlet devise that percolates into the ground or in large storm events, it will fill up and then over the top of the rip rap. Trying to stay outside the 25-foot buffer, Mr. Moula proposed an extension on the tip rap apron closer to the wetlands which would place it in the 25-foot buffer. Mr. McRae asked if it was any way to make the basin a wet basin as it would negate the 25-foot no touch. The basin design provides two feet of separation for the seasonal high water. Although it could be called a wet basin, Mr. Moula does not feel that it will function like a wet basin because the water table is much lower than the bottom of the basin. He is not sure if the wet basin will provide the necessary groundwater recharge that an infiltration basin may provide. There is a possibility of lining the bottom which may function like a wet basin.

Mr. Etoniru spoke of the difference in the site redevelopment via a new development. The proposed is also increasing the pervious area and he would like to see the infiltration working with the proposed application. The applicant is not providing the recharge for the entire pervious area. Their argument is that there will be an improvement to the site than what is currently there, therefore, getting as much infiltration as possible

that is feasible. He asked that the outlet on the north easterly direction be reconfigured so that the run off is heading toward the north easterly direction of the 25-foot with an extension in the front. Also, in terms of the groundwater separation, the applicant is showing a calculation that states they can meet the bottom of the basin and will not be surcharged. However, the local regulation requires that the stormwater analysis be done consistent to 310 CMR 10 that incorporates the DEP stormwater management guidelines. DEP allows you to be two feet as long as there is no surcharge of the bottom of the basin. However, the local regulation does not make a provision for that. It simply states if you are doing recharge, you must be 4 feet above. It will be up to the Commission to allow or not. Mr. Etoniru suggested that because it is a redevelopment and they are providing the necessary recharge, based on a redevelopment site and they are not in the water table, there could be a strict application of your four-foot separation to achieve any greater protection. Mr. Moula asked if the Commission would grant a waiver for the regulation, but not DEP requirements, it would still be in conformance with DEP standards.

Comment 3 – as part of the Planning Board review, the applicant requested an increase in the volume for the site. Mr. Etoniru informed that volume control is a part of the stormwater management guidelines under DEP regulations.

Mr. Moula informed that they are managing volume with underground infiltration although there is not enough room on the site to manage all the impervious coverage on the site. In percentages, the project is approximately 50% of controlled volume.

Comment 4 – redevelopment vs new development. The size of the infiltration based is based on the site with the additional pervious coverage. Comment does state that the recharge standard has been significantly met, although they did not agree with the applicant's premise that they are in full compliance considering that the stormwater management system for the existing pervious area is proposed to be eliminated and the new system does not fully capture the required recharge volume.

Comment 10— requirement of a SWPPP report which is a part of the approval process. Prior to construction, the SWPPP will be created and copies submitted.

Comment 11 - Long term operation maintenance. The site will be maintained in accordance with the stormwater O&M that has been provided.

Comment 14 – Freeboard – based on the site and area, the applicant does not have the required foot of freeboard. Mr. Moula proposed an extension to the oval berm from five feet to fifteen feet. For the 100-year storm, there will be 6 inches of freeboard and for the lower storm events, there will be eight to nine inches of freeboard.

Mr. McRae went over the site being called redevelopment. A second property was added, and an increase of impervious surface is added to the site. And yet, the applicant is requesting waivers to lessen the amount of run off. He is having difficulties with the fact that they are only capturing a percentage of what is there. Mr. Moula stated that due to the project being adjacent to the wetlands, he feels there will be no issues with the volume.

Mr. Etoniru informed the commission that in the way of a redevelopment, you can look at the volume favorable if they are taking the impervious area and reducing it while creating vegetation. The Commission can also look at the project from a qualitative stand point as to a quantitative stand point. The site does have all the constraints and what is before the commission is the question as to what is driving the impact to the level that it is. The applicant is taking what is there right now and is improving to a point that they would like to see as a development. The project does not need to have a drive-through, this increased the impervious area. These factors are things that the Commission needs to keep in mind as they make the evaluation. Mr. Moula stated that he does not disagree with Mr. Etoniru statement what so ever. Their take on the project is that they are significantly increasing all stormwater treatment, providing measures of infiltration where there are none today, it is a mix of redevelopment and new development. Based on discussions from the first meeting, the proposed project clearing has been decreased, the wetland impact area replication increased to 3:1; the underground fuel tanks have been moved outside of the 25-foot buffer

along with the transformer pad outside of the 25-foot buffer. What is being provided is a substantial improvement over what is there today.

Mr. McRae stated that the Commission is trying to allow the application to have the design they want, but does it live up to the standards to adhere to for the Town of Raynham. He said he would like to see the drive thru lane gone, but he knows this won't happen, so the Commission is working through the proposed. Mr. Etoniru informed that the grading for the surface runoff on the north side of the building is still flowing toward the wetlands and the inlet structure does not provide any quality treatment at all. He would like to see the inlet structure similar to the other treatment unit as proposed.

Mr. Moula reviewed the grading plan with the Commission.

There is a proposed Rain Guardian system which can remove 50% of the TSS plus 5% removal from street sweeping. It will provide more than the 44% TSS removal that is required.

Mr. Etoniru requested literature from the manufacturer of the proposed Rain Guard and to verify that it is acceptable with DEP. Mr. Moula will provide email documentation from the manufacturer. The 50% removal of TSS is on the low end as it can provide up to 90% TSS removal according to the manufacturer. He informed that any rain that drops on the site, even from the canopy, will be captured in their storm water management system.

Comment 4 – Snow storage. Snow storage is shown throughout the site and excess snow will be removed off site.

In review, Mr. Moula said the only substantive change to the plan will be the increase in size of the infiltration basin, which is stretched out towards the east with the larger overflow rip rap apron, and sliding it further from the 25-foot buffer.

Mr. Moula reviewed the replication area and plantings with the Commission.

Mr. Moreira asked about ice management. Mr. Etoniru informed that the Commission has been very adamant in this type of application, not allowing salt and chemical for icing. Mr. Moreira asked if the use of sand would impact the wetland area. The Commission spoke of the sand and possible issues to the system. Mr. Moula stated that from a safety point of view, his client would not want to use some sort of salt maintenance, possibly calcium chloride or another form.

As far as site sweeping, Mr. Etoniru would not be concerned with sand being swept into the filtration system. Mr. Moreira would like to add that no landscaping/clippings be thrown over the fence and that it remains in perpetuity.

Mr. Etoniru stated that when approving, a stipulation should be added stating that the amount of wetland replication proposed mitigates the amount of volume.

The proposed project is on the schedule with the Planning Board to be discussed at their next meeting.

Mr. Moula will submit a new plan sheet for grading with the changes discussed.

Motion: Moved by Mr. Reynolds and seconded by Mr. Moreira to continue the Public Hearing for a Notice of Intent – 1023 Broadway, SE269-1030 until August 3, 2022 at 5:30pm. Discussion: None. Vote: 5-0-0

Request for Determination of Applicability – 661 South Street West

Mr. Campbell read the Public Hearing notice.

Mr. Frank Gallagher, Gallagher Engineering, Foxboro, MA.

The project is for an addition, 28 feet x 48 feet, on the back of the existing building; associated utilities; grading; driveway and landscaping; less than 100 feet from BVW. The rear porch is only accessible from the interior of the building and the Taunton Riverfront not applicable as it is an existing lot, single family. Addition is outside the 50-foot buffer with no work to disturb a new area.

Mr. Gallagher requested approval of a Negative 3 Determination.

Because the applicant filed a Request for Determination, Mr. Etoniru suggested the erosion control be located on the 50-foot line, inspection of the erosion control after the install with work beginning only after inspection.

Motion: Moved by Mr. Reynolds and seconded by Mr. Moreira to approve the Request for Determination of Applicability – 661 South Street West, Negative 3 with a condition for the erosion control be located on the 50-foot line, inspection after install with work beginning only after inspection and new plans submitted to the Commission. Discussion: None. Vote: 5-0-0

Request for Enforcement Order Discussion – 221 South Street East

No representation – Board to discuss at the meeting in August.

INFORMAL

Certificate of Compliance – 366 South Main Street

Mr. Etoniru recommended approving.

Motion: Moved by Mr. Reynolds and seconded by Mr. Campbell to issue Certificate of Compliance – 366 South Main Street. Discussion: None. Vote: 5-0-0

General Business

Acceptance of Minutes – June 15, 2022

Motion: Moved by Mr. Reynolds and seconded by Mr. Moreira to accept the Conservation Commission Minutes of June 15, 2022 as printed. Discussion: None. Vote: 3-0-2 (Mr. Campbell and Mr. Menconi)

Correspondence

None

Bills

The Commission approved and signed bills presented.

Miscellaneous

Discussion of reduction of plan copies for submittal by applicants. The current regulation requires five copies, the Commission suggested a reduction to three copies.

Motion: Moved by Mr. Reynolds and seconded by Mr. Moreira to amend the Raynham Conservation Commission Regulation requirement for application documents from five copies to three copies. Discussion: None. Vote: 5-0-0

Schedule Site Visit

201 May Street – suspected violation

Mr. Reynolds contacted the home owner to schedule a site visit and they were amendable. He is waiting on availability of the homeowner. The homeowner informed Mr. Reynolds that they purchased the home in June 2021 and the possible violation was prior to their ownership of the home.

Pine Street

Pre-construction meeting held and there is a proposal for 50 new homes.

Conservation Commission - member

Mr. Richard Nutter was present and expressed his interest in serving on the Commission.

Mr. McRae suggested a letter of interest be sent to the Board of Selectmen. He will also review the number of members that could serve on the Commission.

Mr. Moreira request a future agenda item to discussion technology for the Conservation Commission.

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 July 13, 2022 at 6:52pm with no business to be conducted afterwards.

Vote: 5-0-0

Respectfully submitted,

*Dawn Caradonna
Recording Secretary*

Next Scheduled Meeting

August 3, 2022 @ 5:30pm
