



**Raynham Conservation Commission
Raynham, Massachusetts
Regular Meeting
April 17, 2024 @ 5:30 p.m.
Donald L McKinnon Meeting Room**

Members Present:

Dave McRae – Chair
Bill Reynolds – Commissioner
Riley Menconi – Commissioner
William Campbell – Commissioner
Linda Pacheco – Commissioner (Absent)

Staff Present:

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

Called to Order:

Mr. 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

0 Orchard St, Map 14, Lot 124, DEP #269-1054

Present was Joshua Borden on behalf of his client. The applicant has not received communication from Natural Heritage, the thirty-day window has past, therefore, Mr. Borden request the hearing to be closed and issue.

Motion: Moved by Mr. Reynolds and seconded by Mr. Menconi to close the Public Hearing Notice of Intent for 0 Orchard St, Map 14, Lot 124, DEP #269-1054. Discussion: None. Vote: 4-0-0

Motion: Moved by Mr. Reynolds and seconded by Mr. Campbell to issue Notice of Intent for 0 Orchard St, Map 14, Lot 124, DEP #269-1054 with standard conditions. Discussion: None. Vote: 4-0-0

Continued Notice of Intent

333 Richmond St – DEP #269-1055

Present was Frank Gallagher, Gallagher Engineering, Foxboro, MA.

A set of revised plans with calculations were submitted. The plan depicts a reduction in the width of the addition by four feet. The erosion control was changed to double row hay bale, given the work is close to the wetlands. Correspondence from DEP stated the project needed to meet the stormwater standards as much as possible. Mr. Gallagher submitted calculations that address the stormwater standards which is for the roof drains to be installed underground into a leaching trench. All roof water runoff would be recharged. The leaching trench is on two sides of the building that will tie into the existing PVC pipe on the property. The PVC pipe was verified that it is for roof runoff.

The building distance to wetland is about 10 feet and there is no added impervious.

Mr. Etoniru stated that the applicant has addressed the DEP stormwater comment. The only issue he would have is the need to review the calculations. Mr. Etoniru discussed the recharge system and the frost wall. He requested details on the recharge system.

The building is a slab on grade and the building code calls for four feet below grade for frost protection.

The 2018 Orders did not show the roof drains and Mr. McRae asked why the existing roof drains are not tied in.

The roof drains may have escaped the Commission back in 2018, but with the applicant filing a new plan, it is the obligation of the Commission to request. Mr. McRae would like for the existing roof drains to be tied in.

Mr. Etoniru commented on the exist roof drains not being recharged and the overflow for all drains. The building has six down spouts that should be tied into an area that will recharge and overflow. The existing drainpipe drains into the wetland and is creating scouring, killing off wetlands in the area. Some type of plunge pool should be created.

Mr. Campbell discussed the paved area being a part of the violation from a previous incident on the site. The pavement was not removed due to access around the building for the Fire Department. Mr. Campbell discussed the proposed filing requesting a building to be constructed over the violation. In the previous filing, the Board voted on a 25 foot no activity. Although, the filing before the Board is for a building to be constructed in that area.

Mr. Menconi echoed the comments from Mr. Campbell.

Mr. Reynolds likes the idea of the building being smaller although agreed that it would be built on disturbed area that was a part of a violation.

The owner was present and asked for clarification of the violation.

Mr. McRae reviewed the violation by the previous owners and the determination for the compromise area.

The Board suggested the applicant speak to the Fire Department regarding access around the proposed building because the proposed construction will decrease the access.

Mr. Campbell asked if the applicant has filed for the stormwater Multi Sector General Permit. Mr. Gallagher will look into the permit.

Mr. McRae asked if there were any comments from the public. No additional comments.

Motion: Moved by Mr. Reynolds and seconded by Mr. Menconi to continue the Notice of Intent, 333 Richmond St – DEP #269-1055 until May 1, 2024 at 5:30 p.m. Discussion: None. Vote: 4-0-0

Continued Notice of Intent

251 Broadway Crossing LLC – DEP #269-1046

The applicant submitted a request to continue the Hearing until the Conservation Commission Meeting on May 15, 2024.

Motion: Moved by Mr. Reynolds and seconded by Mr. Menconi to continue the Public Hearing for the Notice of Intent 251 Broadway Crossing LLC – DEP #269-1046 until May 15, 2024 at 5:30 p.m. pending receipt of a letter from Natural Heritage. Discussion: None. Vote: 4-0-0

Request for Certificate of Compliance

2255 King Philip St – DEP #269-0861

Present was Attorney Ryan Prophet.

As-built plan submitted to the Board. This was new construction that was sold and they were waiting for the grass to grow, which it has. Therefore, the applicant has complied with everything in the Order of Conditions.

The original address was changed by the Town once the building was constructed.

Motion: Moved by Mr. Reynolds and seconded by Mr. Menconi to issue Certificate of Compliance for 2255 King Philip Street (formally the South Street), DEP #269-0861. Discussion: None. Vote: 4-0-0

Amendment to Order of Conditions

999 & 1023 Broadway – DEP #269-1030

Present was Mike Howard, Epsilon Associates on behalf of Nouria Energy; Mike Durant and Chris Tamula from GPI.

No work has begun on the site and the Order of Condition are valid through 2025.

The applicant is proposing a smaller convenience store building, elimination of drive-through window, reduction in fuel canopy islands, new commercial diesel fuel canopy and storage tanks, and adjustments to stormwater management system to accommodate change. No additional wetland work and all changes are confined to site. The proposal results in some modest additional encroachment into the 25 foot no touch due to shift location of proposed infiltration basin. Encroachments are confined to the northeast corner of site for a total of about 500 square feet.

Mr. Tamula discussed the overlay of the proposed plan and as compared to the original plan approved by the Commission.

On February 15, 2024, Raynham Planning Board approval the plan as a Minor Modification.

The new convenience store proposed is 5,000 square feet, 1,000 square feet reduction; coffee shop drive through component eliminated; fuel canopy reduced from eight islands or sixteen fueling positions to six islands or twelve fueling positions; new commercial diesel canopy added with three islands with two fueling positions. All previously approved conditions and design elements are still included as part of the updated plans including the mitigation, erosion controls, landscaping, grading, drainage, stormwater management, operational plan, and maintenance plan. No increase to the peak rate of runoff to the wetlands or to the state drainage system. The proposed will be disturbing about 500 square feet more of the buffer zone.

Mr. Etoniru did not have any issue with the proposed, he suggested the Board consider this a Minor Modification.

Motion: Moved by Mr. Reynolds and seconded by Mr. Menconi to approve a Minor Modification for the Order of Conditions, 999 & 1023 Broadway – DEP #269-1030 that does not require a new Notice of Intent for an Amendment and the minor changes be reflected on as-built plan. Discussion: None. Vote: 4-0-0

Notice of Intent

Gardiner Street Bridge & Kings Pond Dam – DEP #269-1056

Mr. Reynolds read the Public Hearing Notice.

Present was Tom Liddy, Professional Westland Scientist, Lucas Environmental representing the Town of Raynham; Kim Armstrong, Design Engineer and Sam Campbell, GPI.

Last fall, an ENF was filed with Mass.gov. Comments received from DEP and response submitted. NOI was filed about a year and a half ago. DMF submitted a letter regarding the Forge River downgrading of the dam and they are working on addressing a response.

Ms. Armstrong reviewed the deterioration of the bridge and the effects of the dam.

The proposed project will require a waiver from the 25 foot no touch.

With the request from DEP on a fish ladder, an alternative analysis was conducted. Because there are many types of fish ladders, the hydraulics would change. It was determined that it was not a practical alternative. The applicant will respond to the comments from DEP once they have a conclusion.

Wetland impact area summarized and there is a small area BVW.

While constructing the dam, work will take place in the wetland resource area.

There is a compensatory flood storage area proposed on the upper side.

The proposed has two limits of projects, one for the roadway widening and the other is the dam maintenance.

Once DEP is satisfied, the Commission can work on an Order of Conditions.

Mr. Liddy requested a continuance until the next meeting, May 1, 2024

Motion: Moved by Mr. Reynolds and seconded by Mr. Campbell to continue the Notice of Intent for Gardiner Street Bridge & Kings Pond Dam – DEP #269-1056 until May 1, 2024 at 5: 30 p.m. Discussion: None. Vote: 4-0-0

INFORMAL

Originally, the Mill Street bridge replacement project was to be loamed and seeded although the grading is steeper than thought. There is a request to use rip rap in a small area. They are requesting a Minor Modification.

Mr. Etoniru discussed the stability with rip rap which will have less maintenance.

Motion: Moved by Mr. Reynolds and seconded by Mr. Menconi to approve a Minor Modification for the Mill Street Bridge project for the use of rip rap in a small area as discussed. Discussion: None.

Vote: 4-0-0

General Business

Acceptance of Minutes – April 3, 2024

Motion: Moved by Mr. Reynolds and seconded by Mr. Menconi to approve the Conservation Commission meeting minutes of April 3, 2024 as printed. Discussion: None. Vote: 4-0-0

Bills

No bills received since the last meeting.

Correspondence

No correspondence

Site Visits

Mr. McRae has a scheduled site visit on Saturday at 10:00 a.m. for 63 Gardiner Street.
Mr. Menconi and Mr. Etoniru to attend along with Mr. McRae.

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 April 17, 2024 at 6:36 p.m. with no business to be conducted afterwards.
Discussion: None. Vote: 4-0-0

*Respectfully submitted,
Dawn Caradonna
Recording Secretary*

Next Scheduled Meeting

May 1, 2024 @ 5:30pm
