



SUDBURY CONSERVATION COMMISSION MINUTES
Monday, November 1, 2021

Present: David Henkels, Chair; Kenneth Holtz, Vice Chair; Richard Morse; Bruce Porter; Kasey Rogers; Mark Sevier; Luke Faust, Associate Member; and, Lori Capone, Conservation Coordinator
Absent: Jeremy Cook

Chair Henkels called the meeting to order at 6:52 PM via roll call.

Climate Emergency Declaration:

Bruce Porter recused himself from the Commission. Mr. Porter and Leslie Lowe sought support from the Commission, on behalf of the Sustainable Sudbury Climate Emergency Group (SCEG), regarding a Climate Emergency Declaration (CED) to be voted on at 2022 Town Meeting. The Declaration describes specific and measurable responsibilities of the town to do its part to achieve the state mandates for reduction in the carbon footprint, and creates the new position of Sustainability Director to implement this initiative.

Mr. Porter stated SCEG wanted to partner with the Town to accelerate Sudbury's contribution to reduce greenhouse gases. He felt the Town needed to create a sense of urgency and recommended the hiring of a Sustainability Director to create a Climate Action Mobilization Plan. He stated SCEG had obtained the support of the Representative and Senators for this position along with potential funding sources. The Select Board and Energy and Sustainability Committee were supportive in general of the mission. There was further discussion about the type of position, support from the town leaders, and the process for this group to advance their request.

K. Rogers asked if Committees and Boards would be placed in a position of having to develop a report within 90 days of the Declaration. Ms. Lowe stated the Town Manager would decide which Commissions and Boards to involve, with the deadline being somewhat flexible. K. Rogers stated that most Committees were volunteers who may or may not have the type of expertise needed to develop this type of plan. There was further discussion about a timeline, funding, and whether regional action would be more effective. M. Sevier said that a shared Sustainability Director has pros and cons and had supported this initiative as a member of the Energy and Sustainability Committee. Chair Henkels was interested in tying together any other current initiatives that could have shared goals which would help further the actions of a Sustainability Director. K. Holtz was in favor of supporting the goals but was curious as to the accountability of a Sustainability Director if the goals were not met. There were questions about requiring homeowners to meet certain energy goals through some kind of incentive program.

Chair Henkels thanked the proponents and asked for public comment. As there were no comments, the Chair asked for a motion. R. Morse moved to issue a letter of support for the Climate Emergency Declaration in support of reducing greenhouse emissions. Seconded by M. Sevier. Via roll call vote, the decision was unanimous.

*Bruce Porter rejoined the Commission.

Agriculture on Conservation Land:

The Chair recognized Mark Kolonoski, 180 Marlboro Road, to present his proposal for consideration to tap a few trees at Barton Farm for sap to make maple syrup for his own personal use. Mr. Kolonoski is a trained forester who noted a unique stand of mature sugar maples on Marlborough Road, sharing photos of the trees at

Barton Farm. He stated the quality of the trees were excellent. He also noted there was a large amount of litter, trash and yard waste, degrading the area. The invasive species encroachment in this area would inhibit future maple saplings from establishing. He stated his proposal was in alignment with the current use in these conservation lands, which are licensed for farming activities. Mr. Kolonoski presented the process of tapping and offered land management services for allowing this activity.

Coordinator Capone stated the Commission was being asked to allow the tapping of sugar maples on Barton Farm specifically, which would require a license agreement, but advised the Commission that this could open up this activity on other conservation lands. The Chair stated this tied in with the agrarian nature of the Town, and as such would be appropriate for this area. Coordinator Capone stated this should go out to bid as a part of the process, for use of public land. K. Rogers was interested in treating this more as a program (like bow hunting), rather than having to go out to bid. Coordinator Capone agreed to check with Town Counsel to ascertain whether this was acceptable.

There was further discussion about using a more informal model for this tapping of trees. In general, the Commission was in favor of allowing this initiative less formally. The Chair thanked Mr. Kolonoski for his presentation, and asked this process be moved along through Town Counsel and the Coordinator. He then recognized Janie Dretler, 286 Goodman's Hill Road, who stated she had seen tapped trees around town and was in favor of further investigations, as she believed this to be a positive and interesting activity. Coordinator Capone asked Mr. Kolonoski for a brief synopsis of his request for her to present to Town Counsel. He agreed to do this. The Commission would consider this further at a subsequent meeting.

Wetland Applications:

Notice of Intent: 77 Powder Mill Road, DEP #301-13##:

Chair Henkels opened the Notice of Intent hearing to remove and replant native trees, within the 100-foot Buffer Zone, pursuant to the Wetlands Protection Act and the Sudbury Wetlands Protection Bylaw. The Coordinator stated the DEP number had not yet been issued, which was the only outstanding item.

Without discussion, on motion by K. Holtz, seconded by R. Morse to continue to November 15, via roll call vote, the continuation was unanimously granted.

Notice of Intent: 74 and 80 Maynard Road: Bonnie Brook Realty Corp., DEP #301-1341:

Chair Henkels opened the Notice of Intent hearing for the construction of a roadway and associated drainage system and utilities in the 100-foot buffer zone and Adjacent Upland Resource Area for a 9-lot residential subdivision, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw, last continued from September 27, 2021. The Chair stated the Applicant had requested a continuation to December 13.

On motion by K. Holtz to continue the hearing to December 13, 2021, seconded by B. Porter, the vote was unanimous via roll call.

Request for Partial Certificate of Compliance: Bryan Gothie, 18 Arrowhead Road, DEP File #301-1313:

Coordinator Capone reported that the trees and invasive species have been removed and the plantings have been installed but require another growing season to ensure they survive, recommending the Commission issue a Partial Certificate of Compliance as the property was changing hands.

On motion by B. Porter, seconded by R. Morse, via unanimous roll call, the Partial Certificate was issued.

Request for Certificate of Compliance: Tom and Anne Duncan, 14 (Lot 8) Elderberry Road, DEP #301-510:

Coordinator Capone reported that this Order was associated with the construction of the house. There were a few outstanding items which have been resolved and recommended issuing the Certificate of Compliance.

On motion by R. Morse to issue, seconded by B. Porter, via unanimous roll call, the Certificate was issued.

Administrative Approval: Eversource Transmission Line, DEP #301-1287:

Marc Bergeron of Epsilon, Denise Bartone of Eversource, and Paul McKinley of Weston and Sampson, attended tonight's meeting for approval to conduct additional soil borings and monitoring wells. K. Rogers recused herself from this matter as she is an abutter to the project.

Coordinator Capone stated they were asking for approval to conduct additional soil boring testing and additional monitoring wells as required by the Sudbury Earth Removal Board. She recommended approval, as work was within the limit of work approved under the Order of Conditions for the project, with the condition that she be present on site when the soil borings are installed between Route 20 and the Hop Brook bridge. Mr. Bergeron explained the boring equipment was not a large machine and would be removed as soon as the samples were completed. He shared the locations for the new borings near Union Ave. and the ones by Hop Brook at Route 20. There would be no clearing or cutting of vegetation. The work would take no more than an hour to complete. The Commission requested the sampling results be provided to the Commission. With no further discussion, on motion by R. Morse, seconded by M. Sevier, via unanimous roll call vote the action was passed.

Administrative Approval: 17 Lincoln Lane: Tree Removal

The Coordinator presented a request to permit one tree to be removed from 17 Lincoln Lane that an arborist has evaluated and is a danger to the house. The tree is located close to the wetland edge, in the Riverfront Area, in Adjacent Upland Resource Area, and on the edge of a Conservation Restriction.

On motion by K. Holtz to allow an Administrative Approval for removal of this tree, seconded by R. Morse, the vote was unanimous, via roll call.

Poor Farm Meadow Carrot Pull: The Coordinator informed the Commission that Siena Farms would be hosting a carrot pull at Poor Farm Meadow November 6th from 10:00-4:00 if anyone was interested in partaking.

With no further business, B. Porter moved to adjourn, seconded by R. Morse. Via unanimous roll call vote the meeting was adjourned at 8:30 PM.