



**SUDBURY CONSERVATION COMMISSION MINUTES**  
**Monday, March 14, 2022**

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

Chair Henkels called the meeting to order at 6:47 PM, via roll call.

**Minutes**

On motion by R. Morse to approve the February 7, 2022 minutes, seconded by K. Holtz, via roll call, the vote was unanimous in favor.

**Wetland Applications:**

**Request for Determination of Applicability: Concord Road, Old Lancaster Road, Union Avenue Intersection, RDA #22-4:**

Chair Henkels recognized DPW Director Dan Nason to introduce his Request to realign the Concord Road, Old Lancaster Road and Union Avenue intersection, including milling and overlay of pavement, installation of vertical granite curbing, construction of cement sidewalks and ramps, and upgrades to the existing drainage system, within the 100-foot Buffer Zone, pursuant to the Wetlands Protection Act and the Sudbury Wetlands Administration Bylaw. Bill McGrath of Beta Group presented the project to the Commission.

The intent of the project is to improve the intersection and crossings, to comply with ADA requirements. A portion of the work falls within 100 feet of an intermittent stream that connects to the drainage system. Improved stormwater management will improve water quality entering the stream. A flashing beacon will be installed to increase pedestrian safety. All erosion controls will be in place. There was discussion about a textured brick apron for large trucks to make the right turn onto Union Avenue. The current island will be removed. There will also be a new sidewalk added. There was some discussion about bicycle lanes. There was a question about the drainage patterns, which Mr. McGrath stated would not be changed.

Coordinator Capone recommended the Commission issue a Negative Determination, as much of the work qualifies for an exemption under the Act. She shared some photos of the drainage pipe, and she said the project would improve water quality in the resource area. She made suggestions for condition to be added to the Determination.

With no further discussion or public comment, on motion by R. Morse to issue a Negative Determination #3 with the four conditions outlined, seconded by Ken Holtz, the Determination was unanimously granted via roll call vote.

**Request for Determination of Applicability: 130 Horse Pond Road, RDA #22-3:**

Chair Henkels recognized Mike DiModica of DiModica Excavation to present the Request to replace a septic system within the 100-foot Buffer Zone, pursuant to the Wetlands Protection Act and the Sudbury Wetlands Administration Bylaw.

Mr. DiModica presented his plan to replace the existing failed septic system, stating that the leach field as proposed was just greater than 50 feet from wetlands. There would be no change in the design flow and the design has been approved by the Board of Health.

Coordinator Capone stated the options for siting the system were challenging. The area is very tight, and the shed will have to be moved to allow machinery access. Coordinator Capone recommended that the Commission issue a Negative Determination with conditions, which she outlined for the Applicant. She asked for existing landscaping

materials to be removed from the wetland. There was further discussion by the Commission about moving the shed. The chair opened the discussion to public comment. There were no further comments.

M. Sevier moved to issue a Negative Determination #3 with conditions as outlined by the Coordinator, seconded by K. Holtz. There was a unanimous roll call vote to issue the Determination.

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

Chair Henkels opened the hearing for the construction of a roadway and associated drainage system and utilities in 100-ft 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, stating that the Applicant has requested a continuance to April 11, 2022, without discussion.

On motion by R. Morse moved to continue the hearing to April 11, 2022, seconded by K. Holtz, via roll call, the decision was unanimous to continue.

**Other Business:**

**Agricultural Licenses: Barton Farm, Davis Farm, and Poor Farm Meadow:**

The Coordinator said she has worked with the Applicant, Town Manager, and Town Counsel to address concerns raised at the last meeting regarding the revocation clause in the License Agreement. She stated the opinion of Town Counsel was that only the Town Manager had the authority to revoke the License Agreement. All parties agreed on revised language providing the Commission the ability to revoke the License with approval by the Town Manager. B. Porter asked the other Licenses be consistent with this one.

J. Cook moved to issue an Agricultural Licenses for Barton Farm, Poor Farm Meadow and Davis Farm to Chris Kurth of Siena Farms for the period of March 14, 2022 to March 13, 2027, seconded by B. Porter. The roll call vote was unanimous.

**Community Garden Discussion:**

The Coordinator stated there was much interest in a new Community Garden at Broadacres, since the one at Lincoln Meadows was already full. She asked for guidance from the Commission in order to plan for construction for the next few years. She recommended 20 to 30 lots along Morse Road. She wanted to be able to plan for a garden in the next year. Heather Lambert, the current Garden Coordinator, was willing to assist with this effort. Requirements for creating a garden were discussed. The Commissioners were generally favorable towards the new garden, and supported testing the soil for any potential contaminants. The Chair recognized Mr. Kurth for his comments that were in favor of a new garden, volunteering his services to help with the tilling of the soil and whatever the Commission needed.

On motion by B. Porter to adjourn the meeting, seconded by J. Cook, via unanimous roll call vote the meeting was adjourned at 7:55 PM.