



SUDBURY CONSERVATION COMMISSION MINUTES
Meeting Minutes of Monday, July 11, 2022

Present: David Henkels, Chair; Ken Holtz, Vice Chair; Jeremy Cook; Bruce Porter; Kasey Rogers; Mark Sevier; and Lori Capone, Conservation Coordinator

Absent: Richard Morse

The meeting was called to Order by Chair Henkels at 6:45 pm.

Minutes:

On motion by Comm. Porter to accept the minutes for the May 9, 2022 meeting, seconded by Comm. Cook, via roll call the vote was unanimous in the affirmative.

Wetland Applications:

Notice of Intent: 4 Confidence Way, DEP #301-1372:

Chair Henkels re-opened the Notice of Intent hearing to demolish and reconstruct a single-family house within the 100-foot Buffer Zone, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw, continued from the June 27, 2022 meeting.

Coordinator Capone reported that the DEP Fil number for this project was received, and that the applicant has received the draft conditions. Mr. Dragani confirmed that the conditions were reviewed. With regards to preventing pollution from stormwater run-off, he noted that the driveway is located outside the 100-foot buffer.

Chair Henkels asked whether two growing seasons is sufficient to allow the mitigation plantings to be come established. Coordinator Capone stated that planting can begin in the fall or spring of 2023. If the property is sold prior to the end of the second growing season, the Commission can issue a Partial Certificate of Compliance. Otherwise, a standard Certificate can be issued only after the second growing season ends.

With no questions from the audience, on motion by Comm. Porter to close the Hearing, seconded by Comm. Holtz, via roll call the vote was unanimous in the affirmative.

On motion by Comm. Sevier to issue the Order of Conditions, seconded by Comm. Cook, via roll call the vote was unanimous in the affirmative.

Notice of Intent: 22 Bowditch Drive, DEP # 301-1370:

Chair Henkels re-opened the Notice of Intent hearing to construct an addition within the 100-foot Buffer Zone, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw, continued from the June 27, 2022 meeting.

Coordinator Capone states that the applicant, Mr. Munnangi, has requested that the Notice be withdrawn without prejudice.

With no questions from the commissioners or the audience, on motion by Comm. Cook to accept the withdrawal of the application without prejudice, seconded by Comm. Sevier, via roll call the vote was unanimous in the affirmative.

Notice of Intent: 4 Dawson Drive, DEP #301-1371:

Chair Henkels re-opened the Notice of Intent hearing to conduct bank restoration as an Ecological Restoration limited project within the 100-foot Buffer Zone, Bank, Land Under Water, and Adjacent Upland Resource Area, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw, continued from the June 27, 2022 meeting.

Coordinator Capone reported that there were no comments from the DEP on the project plan. Prior to construction, the applicant will designate an environmental monitor to conduct a daily review of the erosion controls.

A discussion followed regarding the number of growing seasons needed to ensure the success of the mitigation planting. The Order as currently drafted is good through July 2025, and can be extended if necessary. Chair Henkels suggested increasing the number of growing seasons from two to three. Coordinator Capone raised the possibility of including a condition that would trigger an automatic extension, but added that an email requesting an extension would achieve the same effect with less effort.

With no questions from the audience, on motion by Comm. Sevier to close the Hearing, seconded by Comm. Cook, via roll call the vote was unanimous in the affirmative.

On motion by Comm. Holtz to issue the Order of Conditions, seconded by Comm. Cook, via roll call the vote was unanimous in the affirmative.

Certificates of Compliance:

151 Dakin Road, SWAB #2001-1105:

Coordinator Capone stated that he house was damaged in a fire, and an Order was issued for reconstruction and wetland restoration. She conducted a site visit and found the completed project to be compliant, except for an ornamental pond with a split rail fence around it. The order required a six-inch gap beneath the fence, but this is blocked with a wire fence. Additionally, the pond is treated for algae and mosquito larva with a dye and an aerating pump. Both the fence and treatments have been in place for roughly 20 years. These have not reduced the habitat value of the wetland. The fence was put in place for child safety.

The applicant, Mrs. Jane Santinelli, stated that her property extends across the town line into Concord. It was purchased in 2003. The spaces between the wires in the fence are four inches tall and two inches wide, and wildlife such as turtles have been observed going through or over it. The pond is attached by waterways to two other ponds, and all three ponds were likely dug for agricultural use.

On motion by Comm. Rogers to issue a Certificate of Compliance, seconded by Comm. Cook, via roll call the vote was unanimous in the affirmative.

Other Business:

Coordinator Capone reported that the requirement for remote meeting participation will be extended by the Massachusetts Legislature to March or December of 2023. No vote has been held to date. The Police station has been booked for the July 25 should the requirement expire before a vote is held.

Since the Select Board was disrupted recently, the Chat and Q&A feature will be deactivated going forward. Comm. Rogers suggested that the audience be reminded of this change at future meetings.

Adjourned:

With no further business, on motion by Comm. Holtz, seconded by Comm. Porter, the Commission voted unanimously to adjourn the meeting at 7:15 PM.