



**SUDBURY CONSERVATION COMMISSION MINUTES**  
**Meeting Minutes of Monday, April 24, 2023**

**Present:** David Henkels, Chair; Ken Holtz, Vice Chair; Jeremy Cook; Richard Morse; Bruce Porter; Kasey Rogers (6:48 PM); Mark Sevier; and Lori Capone, Conservation Coordinator

**Absent:** None

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

**New Wetland Applications:**

**Request for Determination of Applicability, 238 Old Lancaster Road, RDA #23-4:**

Chair Henkels recognized Coordinator Capone for her presentation on the behalf of the applicant, Mr. Ken Lefner, for his project to extend a fence within the 100-foot Buffer Zone, pursuant to the Wetlands Protection Act and the Sudbury Wetlands Administration Bylaw.

Coordinator Capone stated that there is an existing fence along the property line that the applicant proposes to extend by adding five additional sections. It is about 40 feet away from a vernal pool in the backyard. Recently, the abutting neighbor was before the Commission for clearing done without permission. The neighbor has since replanted the cleared area with shrubs, but it has not been restored back to the way it was before trees were removed. They now have an open backyard.

In response to Comm. Sevier, Coordinator Capone stated that a part of the reason for the fence is that work done by the neighbor has opened up the view between the abutting backyards. The applicant wants the fence in order to block the view. The neighboring backyard is cluttered with the remnants of a desk, piles of rocks, a wheelbarrow, and other items. The project will extend the fence to the boundary of an earlier restoration project undertaken by the neighbor. Installation will be done by hand. The fence will be lifted six inches off ground to allow small animals to migrate back and forth. The posts will be cemented in the ground, but otherwise there will be no vegetation removal.

Mrs. Nancy Lefner stated that they have experienced trouble with trespassing. They also have removed trash from the vernal pool. They expressed a desire to regain their privacy.

In response to Comm. Holtz, Mrs. Lefner confirmed that larger animals would still be able to walk around the fence extension.

In response to Comm. Rogers, Coordinator Capone confirmed that the vernal pool is completely within the Lefner's property at the eastern end, and added that it extends to the west. She further added that the fence is adjacent to, but did not cross or surround the vernal pool. The debris piles within the jurisdiction of the Commission have mostly been removed by the neighbor. Mrs. Lefner added that piles of trash had been sitting for over a year, as well as piles of lumber.

In response to Comm. Porter, the Lefners stated that the vernal pool hosted deer, fox, coyotes, frogs, ducks, woodchucks, and groundhogs. They have not observed salamanders.

In response to Chair Henkels, Coordinator Capone confirmed that the vernal pool is certified.

On motion by Comm. Cook to issue a Negative Determination of Applicability #3, seconded by Comm. Porter, via roll call the vote was unanimous in the affirmative.

## Other Business

### Earth Day

Coordinator Capone thanked Chair Henkels for managing the Earth Day table. Chair Henkels stated that the table was very popular, judging by the high volume of visitors. He highlighted the efforts of Miriam Rubin, a resident and volunteer, and who managed the table with him, to educate visitors on invasive plants. Many visitors expressed concerns about invasive plants.

### Adjourn Meeting

With no further business, on motion by Comm. Sevier, seconded by Comm. Cook, the Commission voted unanimously to adjourn the meeting at 7:01 PM.