



***SUDBURY CONSERVATION COMMISSION MINUTES***  
**Meeting Minutes of Monday, May 22, 2023**

**Present:** David Henkels, Chair; Ken Holtz, Vice Chair; Luke Faust; Bruce Porter; Mark Sevier; and Lori Capone, Conservation Coordinator

**Absent:** Jeremy Cook; Kasey Rogers

The meeting was called to Order by Chair Henkels at 7:00 pm.

**Minutes**

On motion by Comm. Holtz to accept the minutes of the March 27, 2023 meeting, seconded by Comm. Sevier, via roll call the vote was unanimous in the affirmative.

Due to the absence of a quorum, a vote on the minutes of the April 10, 2023 meeting was tabled.

**Other Business:**

**BioMap Presentation:**

Sarah Wasserman and Alec Kaisand, Outreach Specialists for the Massachusetts Division of Fisheries and Wildlife, were recognized for their presentation on the new edition of the BioMap.

Mr. Kaisand stated that BioMap was developed in collaboration with the Nature Conservancy. Biodiversity is in a crisis on a national and local scale. The third version of BioMap was released in November. There are two main elements of BioMap: Core Habitat and Critical Natural Landscapes. Together, these areas make up 2.4 million acres in Massachusetts. Overall, it is very similar to previous versions. A new innovation is the addition of local and regional components.

Ms. Wasserman stated that this version features components that highlight locally important habitats. These are designed for municipalities. This accommodates the very different patterns of development across the state. Landscape blocks use ecological integrity data. She added that there are also regional components, which are on a scale larger than just Massachusetts. Plants and animals don't recognize state boundaries. For example, the tulip tree is expected to project its range into Massachusetts from the south.

She further added that, in Sudbury, 30% is Core Habitat, while 18.1% is Critical Natural Landscape. There is a good deal of Rare Species Core and Vernal Pool Core. There is a large wetland core along the river. 38.7% of the town consist of local components. It is important that local and state data are used together. The Nobscot Reservation has Rare Species Core and local landscapes. The Memorial Forest and Hop Brook Marsh have Aquatic Core, Rare Species Core, and Vernal Pool Core. The Sudbury River is also on BioMap with multiple Cores.

Mr. Kaisand stated a difference between BioMap and Priority Habitat for Rare Species is that the latter is a regulatory screening tool and can be viewed in MassMapper. He added that there is a new interactive mapper feature which allows customization, such as filtering.

Ms. Wasserman stated that a key innovation was the addition of climate resilience data from the Nature Conservancy. She added that the habitats are designed to provide a high return on investment. The Massachusetts Division of Conservation Services provides grant programs that include BioMap in its criteria. Collaboration is a big theme with this tool.

In response to Comm. Porter, Mr. Kaisand stated that habitats above tree line are not specifically featured.

In response to Comm. Holtz, Ms. Wasserman stated that, because it is sensitive, the presence of specific rare species is not indicated. However, if you are working on a conservation program, there is a protocol for obtaining this

information. A technical report will be released soon. Comm. Holtz added that the local layers make the tool much more interesting.

In response to Comm. Faust, Mr. Kaisand stated that there is a reason that this version is not simply called BioMap 3. Ideally, this will be a dynamic tool that can incorporate updates. These updates will come with large changes to the source data. There is no exact timeline, but presumably this will occur within 10 years.

In response to Chair Henkels, Mr. Kaisand suggested that the Nature Conservancy Community datasets might possibly include data on old growth forests in Massachusetts. Ms. Wasserman added that the Forest Core shows large tracts of land the least impacted by development and fragmentation. About 14% is intact interior forest habitat, but this may not be old growth forest.

In response to further questioning by Chair Henkels, Ms. Wasserman stated that she and Alex are open to presenting to any municipal group. Mr. Kaisand stated that there are numerous resources that go into identifying types of habitat including MassGIS, the Natural Heritage & Endangered Species Program, the Nature Conservancy, and other resources. UMASS Amherst provided the model for ecological integrity. Mr. Kaisand stated there is a list of different grants available from Mass Wildlife, the Division of Conservation and Recreation, and other state entities. Kaisand stated that some towns have used BioMaps to develop an Open Space Plan. It depends on each town's capacity.

Chair Henkels thanked Ms. Wasserman and Mr. Kaisand for their informative presentation.

#### Wetland Applications:

##### **Notice of Intent: 58 Massasoit Avenue, DEP #301-1376**

Chair Henkels re-opened the Notice of Intent Hearing to demolish and reconstruct a single-family home within the 100-foot Buffer Zone, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw, continued from September 12, October 3, and October 17, 2022.

On motion by Comm. Holtz to continue the Hearing without discussion to the June 5, 2023 meeting, seconded by Comm. Sevier, with Comm. Porter abstaining due to technical difficulties, via roll call the vote was unanimous in the affirmative.

##### **Notice of Intent: 4 Demarco Road, DEP #301-1392**

Chair Henkels re-opened the Notice of Intent Hearing to construct an addition and expand the septic system and driveway within the 100-foot Buffer Zone and 200-foot Riverfront Area, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw, continued from May 8, 2023.

On motion by Comm. Sevier to continue the Hearing without discussion to June 5, 2023, seconded by Comm. Porter, via roll call the vote was unanimous in the affirmative.

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

Chair Henkels re-opened the Notice of Intent Hearing to construct a roadway and associated drainage system and utilities within the 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, continued from June 7, August 9, September 27, 2021 and August 22, 2022.

On motion by Comm. Porter to continue the Hearing without discussion to the June 26, 2023 meeting, seconded by Comm. Faust, via roll call the vote was unanimous in the affirmative.

##### **Notice of Intent: 5 Hunt Road, DEP #301-1380**

Chair Henkels re-opened the Notice of Intent Hearing to construct an addition to an existing single-family house within the 100-foot Buffer Zone and the 100-foot Adjacent Upland Resource Area, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw, continued from October 17 and December 12, 2022.

On motion by Comm. Sevier to continue the Hearing without discussion to the June 26, 2023 meeting, seconded by Comm. Sevier, via roll call the vote was unanimous in the affirmative.

**Extension Request:**

**Sudbury Pines Extended Care Facility, SWAB #190128**

Chair Henkels stated that the applicant has requested a one-year Extension to their Order of Conditions to construct a Wastewater Treatment Plant.

Coordinator Capone stated this is only subject to the Bylaw and not the Act because the site is in the Adjacent Upland Resource Area (AURA) to an Isolated Vegetated Wetland. There is very little work being done within the AURA. To date, the applicant has cleared the land, but no construction has taken place. They anticipate that this will occur over the next year, so they are seeking a one-year extension. She conducted a site visit today, and observed that the erosion controls are still in place and in compliance with the Order. There is no reason not to entertain a one-year extension.

In response to Chair Henkels, Coordinator Capone stated that the DEP form can be used to issue the extension. The Order expired two days ago, and there is a 30-day provision for notification in advance of expiration. The extension request was filed in March, and she was waiting to confirm that the site was in compliance. This was only confirmed on Friday.

On motion by Comm. Sevier to extend the Order, seconded by Comm. Faust, via roll call the vote was unanimous in the affirmative.

**Other Business:**

**92 Fairbank Road, DEP #301-1149**

Chair Henkels stated that the applicant has requested a Minor Modification to expand the driveway width at the curves, within the Riverfront Area and Buffer Zone.

Coordinator Capone stated that the site originally came to the Commission for two lots, but only one was permitted. A Conservation Restriction was required on the remainder of the parcel. The house has just been constructed, and the driveway is as far from wetlands as possible. The resource area is Riverfront. To meet the 5,000 square foot/10% requirement, the driveway has curves to follow the lot line. It was required to be 10 feet wide, the minimum allowable. It is very narrow, with no turnaround. The homeowner has delivery trucks and plows using the driveway. It is clear that after one winter, the plows are damaging the landscaping along the sides.

She added that they would like permission to widen the egress to the road to improve the line-of-sight. At the first and second turns of the driveway, they would like to expand the curve to accommodate wheel marks from vehicles. These are in the inner riparian zone. In the outer riparian zone, the only modification is a small area that has been driven over, which is now bare sand. This extends over the septic system. They want to expand the pavement slightly to square out the parking area. The project itself is around 4,000 square feet of Riverfront Area impact, and thus doesn't exceed the threshold under Act or the Bylaw.

In response to Comm. Sevier, Coordinator Capone confirmed that is not possible to turn around in front of the garage. It is necessary to back all the way out, or turn over the grass.

In response to Comm. Holtz, Coordinator Capone stated that she did discuss more permeable paving solutions with the homeowner. However, they are requesting asphalt for maintenance purposes.

In response to Chair Henkels, Coordinator Capone stated that the new driveway goes over a portion of the leach field. She doesn't anticipate a problem with vehicles driving over this area.

In response to Comm. Porter, Coordinator Capone stated that the driveway is owned by the homeowner, except for an easement along the entrance.

In response to Chair Henkels, Coordinator Capone stated the only outstanding items are a second coating and the submission of an As-built Plan, before requesting a Certificate of Compliance.

On motion by Comm. Sevier to approve the modification, seconded by Comm. Porter, via roll call the vote was unanimous in the affirmative.

**Sudbury TV:** Conservation Commission Broadcasts

Chair Henkels stated the need for increased outreach and education. Recent developments include two new rail trails, expected to be completed within a few years, and the Department has also been interviewing candidates for a new Land Manager position. He is interested in exploring ways in which the Commission might utilize Sudbury TV to the Town's advantage. He recently met with Lynn Puorro of Sudbury TV.

He added that the Commission should evaluate what it wants to accomplish. This could include explaining the Bylaw and Act. He cited Comm. Faust's interest in avian activity, and Comm. Porter's interest in glaciology. One example would be to describe the Gray Reservation or Davis Farm and provide a natural history context to these properties. This could be done on-site. Each clip would be short, about 15 minutes long. He suggested a quarterly production cycle.

Comm. Holtz and Comm. Sevier expressed their support.

In response to Comm Faust, Chair Henkels stated the he did not know the viewership figures, but stated that the average for Commission meetings in 2023 was about 20 viewers.

Coordinator Capone stated that this would be a good task for the new Land Manager to assist with. This would support the Commission's mission, and also garner new members and volunteers.

**Adjourn Meeting**

With no further business, on motion by Comm. Porter, seconded by Comm. Faust, the Commission voted unanimously to adjourn the meeting at 8:08 PM.