



SUDBURY CONSERVATION COMMISSION MINUTES

Meeting Minutes of Monday, September 9, 2024

Present: David Henkels, Chair; Ken Holtz, Vice Chair; Jeremy Cook; Luke Faust; Kasey Rogers; Harry Hoffman, Associate Member; and Lori Capone, Conservation Coordinator

Absent: Bruce Porter; Mark Sevier

The meeting was called to Order by Chair Henkels at 7:02 PM via roll call.

Minutes:

On motion by Comm. Faust to accept the minutes of the August 26, 2024 meeting, seconded by Comm. Holtz, via roll call the vote was unanimous in the affirmative.

Wetland Applications:

Request for Determination of Applicability: 24 Goodnow Road, RDA #24-16

Chair Henkels resumed the meeting for the project to alter the grade within the 100 Buffer Zone, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw. Goodnow Partners, LLC was the applicant. This meeting was continued from July 1, 2024.

On motion by Comm. Cook to continue the meeting to September 23, 2024, seconded by Comm. Faust, via roll call the vote was unanimous in the affirmative.

Request for Determination of Applicability: 72 Wayside Inn Road, RDA #24-12

Chair Henkels resumed the meeting for the project to construct a porch, ramp and steps within the 100-foot Buffer Zone and 200-foot Riverfront Area, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw. Steve Pickford was the applicant. This meeting was continued from June 3, 2024.

On motion by Comm. Holtz to continue the meeting to October 21, 2024, seconded by Comm. Cook, via roll call the vote was unanimous in the affirmative.

Notice of Intent: 87 Moore Road, DEP #301-1424

Chair Henkels continued the Hearing for the project to construct a garage with associated driveway and drainage, relocate an existing fence, and remove trees within the 200-foot Riverfront Area, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw. Dwight D. Henderson was the applicant. This Hearing was continued from August 26, 2024.

On motion by Comm. Rogers to continue the Hearing to September 23, 2024, seconded by Comm. Cook, via roll call the vote was unanimous in the affirmative.

Request for Determination of Applicability: 54 Old Garrison Road, RDA #24-23

Chair Henkels began the meeting for the project to construct an addition and install drywells within the 200-foot Riverfront Area, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw. Vanessa Rumble & Jorgen Aabo were the applicants.

Coordinator Capone explained that the project began in 2012 with a Notice of Intent that included the addition and the removal of eight trees on the property. While the trees were removed, the addition was not constructed, and the Order of Conditions expired. In 2018, the applicants filed a new Notice of Intent, under which the

foundation and most of the dry wells were installed, but the addition itself remained incomplete. The property contains several resource areas, including a pond with a 100-foot Buffer Zone and a stream, which was assumed to be perennial in 2012, placing the addition within the 200-foot Riverfront Area. Coordinator Capone stated that an RDA was appropriate for the remaining work, which would be minimal and completed by hand.

Chair Henkels asked about closing out the Orders of Conditions. Coordinator Capone recommended issuing Certificates of Compliance for both the 2012 and 2018 Orders, noting that the 2012 Order was never recorded at the Registry of Deeds, and the 2018 Order had been, meaning it would require recording to lift the lien. The perpetual conditions in both Orders were the same, ensuring future owners would be aware.

Chair Henkels opened the floor for questions, but there were none from the Commission or the audience. He then invited Mrs. Rumble to speak. She discussed the stream on the property, mentioning that her husband had taken daily photographs over a 30-day period, showing that the stream no longer appeared to exist due to changes in the culvert.

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

Certificate of Compliance:

Aabo & Rumble, 54 Old Garrison Road, DEP #301-1232

Chair Henkels reiterated that the Order, issued in 2018, pertained to the construction of an addition, as discussed in the previous Request for Determination of Applicability. He noted that the addition had been constructed and five out of the seven dry wells had been installed, with the site now stable. Chair Henkels mentioned that Coordinator Capone recommended issuing the Certificate of Compliance.

Chair Henkels asked the Commissioners if they had any questions or comments.

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

Mrs. Rumble inquired about the process for removing the lien on her property. Coordinator Capone explained that Mrs. Rumble would receive two Certificates of Compliance, one for each of the Orders discussed. The Certificate of Compliance for the 2018 Order of Conditions would need to be filed with the Registry of Deeds in Cambridge to lift the lien from the property.

Aabo & Rumble, 54 Old Garrison Road, DEP #301-1091

Chair Henkels explained that the Order, issued in 2012, was for the construction of an addition and the removal of eight trees. The trees had been removed, but the addition had not been constructed under this Order. Chair Henkels noted that the Order had not been recorded at the Registry of Deeds, and this Certificate would close the file. He further stated that the perpetual conditions from this Order mirrored those of DEP File 301-1232, which would be recorded for future property owners.

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

Other Business:

Deer Management Program

Coordinator Capone explained that with fall approaching, preparations for the next hunting season were underway. She provided a summary of the previous year, noting that there had been 10 deer harvests, which was slightly below the average of a dozen. She mentioned that there was also a first-time harvest by a junior archer, who was excited about the experience.

Coordinator Capone highlighted the public outreach efforts from last year, which had resulted in no complaints during the hunting season. She explained that they were preparing a mass mailing to all abutters of conservation

land, which would go out on Monday, if the Commission voted to continue the program. She also mentioned that two hunters had dropped out, and two new hunters from the waitlist had been interviewed, noting that there were still about 55 people waiting to join the program. A proficiency test was planned for early next week, if the program continued.

In addition to the mailing, signs would be installed at kiosks and on major trails connecting to conservation land to inform the public of hunting activities. Coordinator Capone also listed recreational and maintenance projects that would result from this year's efforts, including invasive species removal at Broadacres, reopening an old trail at Nobscot Conservation Land, building bat boxes at the community garden to help with mosquitoes, and repairing barn doors at Carding Mill.

Chair Henkels asked if any of the Commissioners had questions. Comm. Rogers inquired about the progress of installing signs. Coordinator Capone responded that they had purchased around 100 signs and were working with the Town Surveyor to determine the boundary of the conservation lands. She noted that signs had already been installed at Lincoln Meadows and that the surveyor was working on Davis Farm, one of the areas of concern from the previous year.

Comm. Faust asked how long the individuals had been on the waitlist. Coordinator Capone replied that the list had been started in 2019.

Chair Henkels opened the floor for any additional questions from the Commission or the audience.

On motion by Comm. Cook to continue the program from October 7, 2024 to December 31, 2024, seconded by Comm. Rogers, via roll call the vote was unanimous in the affirmative.

Adjourn Meeting

On motion by Comm. Holtz to adjourn the meeting at 7:37 PM, seconded by Comm. Rogers, via roll call the vote was unanimous in the affirmative.