



SUDBURY CONSERVATION COMMISSION MINUTES

Meeting Minutes of Monday, March 10, 2025

Present: David Henkels, Chair; Jeremy Cook; Luke Faust; Bruce Porter; Kasey Rogers; Mark Sevier; Harry Hoffman, Associate Member; and Lori Capone, Conservation Coordinator

Absent: Ken Holtz, Vice Chair

The meeting was called to Order by Chair Henkels at 7:00 PM via roll call.

Minutes

On motion by Comm. Cook to accept the minutes of the February 24, 2025 meeting, seconded by Comm. Faust, via roll call the vote was unanimous in the affirmative.

New Associate Membership:

Chair Henkels began the interview with Victor Sulkowski, who has expressed an interest in filling an Associate position with the Commission.

Mr. Sulkowski introduced himself to the Commission, noting that he had lived in Sudbury his entire life, except for a brief period away for college and work. He had previously served on the Commission for about four years, including serving as Vice Chair, but had to step away due to time commitments. He expressed his desire to return to the Commission after hearing about improvements in its functioning, particularly regarding meeting length and internal processes.

Comm. Rogers asked why Mr. Sulkowski wanted to come back. He explained that after managing his family's farm in Sudbury for the past ten years, he had gained experience in various nonprofit and civic organizations. He added that he had heard from others, including colleagues in the building industry, that the Commission was now functioning much more smoothly. He appreciated the creation of an Associate member position, which provides an opportunity for individuals to gain experience before joining full-time.

He clarified that he did not overlap with any current members of the Commission, noting that the former chair, Parker Coddington, had passed away, and there had been no Associate members at that time.

He also mentioned his work in carpentry and trail maintenance, highlighting his interest in using his skills to help with conservation efforts. He expressed his desire to formalize the community's volunteer trail maintenance efforts, to ensure that they were done properly.

Assoc. Comm. Harry Hoffman asked about Mr. Sulkowski's goals for the Commission, to which Mr. Sulkowski responded that he hoped to contribute practically, using his experience and skills to make a positive impact.

Comm. Faust inquired if there was a limit on the number of Associate members, to which Coordinator Capone confirmed that there could be two Associate members under the Commission's charter.

Comm. Sevier asked how long Mr. Sulkowski had served on the Commission, which Mr. Sulkowski confirmed was about four years. Comm. Sevier mentioned he had been on the Commission for over a decade and confirmed they hadn't overlapped. He added that he was looking forward to having Mr. Sulkowski back on the Commission.

Comm. Porter added that agriculture could provide an additional vantage point. Mr. Sulkowski responded, explaining that while the farm primarily focuses on horse boarding, he does network with individuals involved in agriculture and construction, both of which he believes could contribute to the Commission.

Comm. Cook then asked about the practicality of expanding the Associate program to include a third member. Coordinator Capone clarified that it would require a vote by the Commission, noting that the limit of two Associate Members was established to ensure there were enough resources to accommodate all members, especially for educational components offered by MACC.

Comm. Porter inquired whether Mr. Sulkowski had received any training during his previous tenure on the Commission. Mr. Sulkowski responded that while he was aware of training opportunities, his full-time work had prevented him from participating. He added, however, that he would be interested in receiving educational training if appointed again.

On motion by Comm. Rogers to recommend Mr. Sulkowski to the Town Manager for the position of Associate Commissioner, seconded by Comm. Sevier, via roll call the vote was unanimous in the affirmative.

Minor Modification:

Bruce Freeman Rail Trail: DEP #301-1362

Chair Henkels began the meeting for the project to install a rain garden and pollinator plantings and a sign at Morse Road. He introduced the project representatives, Heather Cockerton from OARS and Clay Larsen of A Yard and a Half.

Ms. Conkerton explained the background of OARS, which was established in 1986 in response to community concerns about the state of the rivers, which were polluted with debris and algae. She highlighted OARS' progress over the years, noting improvements in the water quality and the establishment of various programs, such as river science, education, recreation, outreach, and climate resiliency efforts.

Focusing on the rain gardens, Ms. Conkerton explained their benefits, including managing stormwater, reducing flooding, recharging groundwater, and providing habitats for pollinators like bees, butterflies, and hummingbirds. She shared examples of previous rain garden installations, including one at a senior center in Marlborough, where over 100 plants were planted. These rain gardens are designed with educational signs to inform the public about native plants and the benefits of rain gardens. She emphasized that the project along the rail trail would be an excellent opportunity for community education and engagement.

Ms. Conkerton then mentioned that the project was funded by a grant from the Sudbury Foundation and involved multiple community partners, including the Thursday Garden Club of Sudbury, which would assist with the planting.

Mr. Larsen provided details about the rain garden project. He explained that his company specializes in sustainable green stormwater management. He expressed excitement about partnering with OARS and highlighted a successful project in Marlborough.

Mr. Larsen shared a drawing of the project area, focusing on the intersection of the bike trail with Morse Road, near a new parking lot and a large barn-like structure. He explained that the project would involve planting native plants in a swale area/stream adjacent to the rail trail. The goal was to plant the left slope with native plants that support pollinators and provide winter interest, including species like winterberry and red-twig dogwoods.

He also emphasized that the project would not reduce the flow capacity of the drainage area, maintaining a 4-foot width. The plan includes protecting the stream bed from erosion with coconut coir logs, an erosion control material made from coconut husks that allows water to drain through. The logs will support plant growth and decompose over time. In addition, he outlined a second area on the west side of the trail that would be transformed into a planting bed, using boulders to create a semi-circle, and planting tough native shrubs and perennials like asters and upland milkweed.

Mr. Larsen concluded by noting the inclusion of educational signage, which would explain the value of pollinators and stormwater management to visitors. He mentioned that the project was designed to be low impact, aiming for a simple, efficient installation.

Coordinator Capone, provided additional context for the project. She explained that the location was chosen due to previous issues during construction, where the road was flooded, and the embankment was washed out. To address this, the contractor had used riprap to stabilize the slope. She clarified that the drainage area is considered a perennial stream, despite its appearance as a drainage channel. The stream flows from a wetland across Morse Road and enters another wetland downstream. The goal of the project is to enhance the stream by reintroducing native plants to shade the water, maintain temperature consistency, and reduce evaporation. The plants will also help filter out sediment and salts from the water that comes from the road.

Coordinator Capone mentioned that no new plants would be added to the riprapped embankment as its stability is sensitive, but planting would occur in the wooded area to the left of the stream and within the stream bed itself. She also indicated that the project would help address degradation in a nearby area caused by truck traffic, which had led to the introduction of sediment and water runoff from barn location into the Bruce Freeman Rail Trail. The project would use rocks from the Pantry Brook Bridge as part of the restoration efforts. She noted that this would be a minor modification to a previously approved MassDOT project, for which she had submitted a request for permission.

Chair Henkels asked for comments from the Commissioners.

Comm. Sevier asked for clarification regarding the use of riprap, loam, and seeding on opposite sides of the stream, and Coordinator Capone confirmed that loam and seed had been applied in the fall, although the seeds had not sprouted yet. Comm. Sevier also asked if the proposed project would add more loam, to which Coordinator Capone confirmed that the planting would occur only on the wooded side and within the stream bed itself.

Comm. Rogers inquired about the involvement of volunteers in planting the area, and Mr. Larsen confirmed that volunteers would help, but his team would oversee the work to ensure it was done correctly. Ms. Conkerton also confirmed that the volunteers would participate in the planting. Comm. Rogers emphasized the importance of oversight, particularly in light of previous volunteer experiences, and Mr. Larsen reassured her that there would be proper supervision. The proposed planting date was confirmed as Friday, May 23, pending final confirmations.

Coordinator Capone briefly discussed the long-term maintenance of the project. She explained that the Conservation Department would handle watering the plants and pruning them in the future to ensure the area remains well-maintained.

Chair Henkels then opened the floor for any questions or comments from the audience. No immediate responses were given. He clarified that the Commission would vote on a Minor Modification to the current outstanding Order of Conditions to permit the project to begin as soon as the weather allows.

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

Wetland Applications:

Notice of Intent: 20 Tavern Circle, DEP #301-TBD

Chair Henkels resumed the Hearing for the project to remove trees within the 100-foot Buffer Zone and 200-foot Riverfront Area, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw. This Hearing was continued from January 27, 2025. Matthew Drew was the applicant.

On motion by Comm. Faust to continue the Hearing to March 24, 2025, seconded by Comm. Cook, via roll call the vote was unanimous in the affirmative.

Notice of Intent: 182 Wayside Inn Road, DEP #301-1434

Chair Henkels resumed the Hearing for the project to install a gravel driveway and stream crossing after-the-fact, renovate and expand an existing garage, construct an accessory out-building, exterior pool, and replace an existing culvert within the 100-foot Buffer Zone and 200-foot Riverfront Area, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw. Andrew Leverone was the applicant. This Hearing was continued from November 18, 2024.

Coordinator Capone, informed the Commission that the applicant, Andrew Leverone, had not provided a specific date for the continued discussion. He was still working on plans and intended to prove that the stream was intermittent, but the project was delayed due to ongoing drought conditions. She suggested that the discussion be postponed for at least a month.

On motion by Comm. Porter to continue the Hearing to April 28, 2025, seconded by Comm. Faust, via roll call the vote was unanimous in the affirmative.

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

Chair Henkels resumed the Hearing from 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 and October 21, 2024.

On motion by Comm. Cook to continue the Hearing to April 28, 2025, seconded by Comm. Sevier, via roll call the vote was unanimous in the affirmative.

Notice of Intent: 331 Hudson Road, DEP #301-1428

Chair Henkels resumed the Hearing for the project to construct an addition, remove outbuildings, modify the driveway, and install plantings within the 100-foot Buffer Zone and 200-foot Riverfront Area, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw. Frederick Hanna was the applicant. This Hearing was continued from October 21, 2024, January 27, and February 24, 2025.

Montgomery Nsamba, of Stamski and McNary, representing the applicant, provided an update on the project. He explained that changes had been made to the driveway design, including the addition of a turnaround area. Mitigation trees would be relocated about 15 feet from the proposed addition to allow space for growth, and the area between the trees would be loamed and seeded with a native mix. Loaming and seeding would also take place in other areas of Sanger Street to facilitate the driveway turnaround and to restore disturbed sections. Additionally, they had revised the plan to ensure the project remained under the 5,000 square-foot threshold.

Coordinator Capone confirmed that the total project area was now exactly 5,000 square feet. She also inquired about the use of native seed mix for the loaming and seeding areas, which Montgomery confirmed. She added that the potential for a paver driveway had been eliminated from the project.

Coordinator Capone also addressed the need for clear demarcation of the mitigation areas to define the restoration zones for future owners. She mentioned that a special condition had been drafted for consideration, which included clear marking of the restoration areas with shrubs.

The Commission was asked for questions or comments.

Comm. Sevier asked whether the driveway would be gravel or pavers, and Mr. Nsamba confirmed that the driveway would remain gravel.

Comm. Rogers raised a concern about whether there was adequate mitigation for the increase in impervious surface. Mr. Nsamba responded that they had stayed within the 5,000-square-foot limit, with a minor increase in impervious surface. He explained that some existing gravel would be removed and replaced, maintaining a balance. Coordinator Capone added that mitigation efforts included converting over 1,300 square feet of lawn to native plantings, removing two buildings and some hardscape, and installing a dry well to manage roof drainage, mitigating the 1,600 square feet of impervious surface added by the proposed addition.

Comm. Porter asked for clarification on the change in the driveway, questioning the shift from a permeable paver driveway to gravel and how it affected the wetland disturbance and the project's impervious surface. Montgomery clarified that the original plan had included pavers, but now the driveway would remain gravel, reducing the impervious surface by 310 square feet.

After confirming no further questions from the Commissioners or the audience, Comm. Henkels asked for a motion to close the hearing. On motion by Comm. Porter to close the Hearing, seconded by Comm. Cook, via roll call the vote was unanimous in the affirmative.

Chair Henkels confirmed that all Commission members had reviewed the Order of Conditions ahead of the meeting and asked Coordinator Capone if there was anything specific to address. Brian Huss, the applicant, confirmed that everything was as expected and had no further questions.

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

Notice of Intent: 23 Moore Road, DEP #301-1436

Chair Henkels opened the Hearing for the project to construct a porch and second floor addition with the 100-foot Buffer Zone, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw. Ian Moore was the applicant.

Ian Moore, representing the applicant, explained the project, noting that the second-floor addition would predominantly raise the roof, and the only significant new construction would be a farmer's porch extending 6 feet 3 inches. He described the site layout, including where the additions would be, and provided details about the proximity to the intermittent stream.

Coordinator Capone summarized the project's minimal disturbance, with most work taking place within the existing footprint, except for the farmer's porch. She noted the addition would result in 193 square feet of new impervious surface, but given the limited disturbance, mitigation was deemed unnecessary. She added that special conditions had been drafted for consideration.

Comm. Sevier asked if site work machines would be used, to which Mr. Moore confirmed that the project would mostly involve hand digging, with staging and work occurring from the driveway and front lawn. He clarified where the staging area would be, pointing out that there would be no activity on the side or back of the property.

After confirming no further questions from the Commissioners or the audience, Dave Henkels asked for a motion to close the hearing. On motion by Comm. Sevier to close the Hearing, seconded by Comm. Cook, via roll call the vote was unanimous in the affirmative.

The Commission then reviewed the draft Order of Conditions. Mr. Moore and Mr. Joel Perry (the homeowner) had no further questions. On motion by Comm. Porter to issue the Order of Conditions, seconded by Comm. Cook, via roll call the vote was unanimous in the affirmative.

Notice of Intent: 5 Guzzle Brook Drive, DEP #301-1437

Chair Henkels opened the Hearing for the project to construct an addition and deck within the 100-foot Buffer Zone and 200-foot Riverfront Area, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw. Paul and Denise Yokota was the applicant.

Joseph Bellino, of JRB Wetland Consulting, the representative for the applicants presented the project. He explained that the property was flagged in August, and a final design for the addition, which would enlarge the kitchen and add a deck, was decided in February. The project would primarily involve reconstructing a screened-in porch and extending the kitchen. The addition would increase the building by 32 square feet.

Mr. Bellino clarified that the proposed work was mainly within the existing footprint of the porch and deck, with minimal disturbance to the site. He also suggested adding native shrubs around the new area and proposed a small gutter system with a dry well for stormwater management, though he requested that this requirement be waived due to the minimal increase in impervious surface. He assured the Commission that there would be no removal of vegetation within the riverfront area.

Coordinator Capone, reviewed the project and emphasized that the disturbance to the Riverfront Area was minimal, with the porch being reconstructed on four sonotube footings and the deck remaining in place during

construction. She agreed with Mr. Bellino's assessment that the impacts were minor and did not warrant additional mitigation, although the Commission could request the dry well if desired.

Dave Henkels then opened the floor for questions from the Commissioners or the public.

On motion by Comm. Faust to close the Hearing, seconded by Comm. Cook, via roll call the vote was unanimous in the affirmative.

Coordinator Capone had sent out a draft Order of Conditions prior to the meeting. She confirmed that everything was standard, with the exception of the requirement for native plantings, which was discussed earlier. Mr. Bellino reviewed the draft Order and inquired about the pre-construction site walk, which Coordinator Capone clarified would be with the contractor. Mr. Bellino confirmed he would coordinate with the contractor and be available to address any questions.

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

Notice of Intent: 163 Boston Post Road (Substation), DEP #301-1438

Chair Henkels opened the Hearing for the project to remove unpermitted gravel and restore with wetland vegetation within the Bordering Vegetated Wetland, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw. Nstar Electric Company d/b/a Eversource Energy was the applicant.

David Halliwell, of SWCA Environmental Consultants, presented on behalf of Eversource Energy. The goal was to remove unpermitted gravel and restore the Bordering Vegetated Wetland that had been altered during an emergency procedure. The gravel road was installed to access utility poles during an outage in December 2023, and the Wetlands Protection Act procedures were not followed. The gravel was later discovered and the restoration plan was proposed.

The proposed work includes removing the gravel, de-compacting the soil, and replanting the wetland. The gravel will be reused to restore the driveway and construct a berm to prevent sediment runoff into the wetland. Approximately 45 plantings of silky dogwood, high bush blueberry, and arrowwood will be added along with a wetland seed mix. A wetland scientist will oversee the work, and the Commission will be notified as the project progresses.

Coordinator Capone noted that the restoration should be straightforward due to the presence of geotextile fabric under the gravel. She mentioned that the proposed plantings are minimal, considering the area needs to be maintained for access to utility poles. She raised a concern about mitigation, as no additional mitigation had been proposed, but said that Mr. Halliwell has a mitigation proposal to discuss with the Commission tonight. Mr. Halliwell responded that invasive species removal in the southwestern corner of the substation, covering about 27,000 square feet, would be part of the mitigation plan. This would help maintain the area while addressing the invasive species.

Coordinator Capone supported the idea of invasive species removal as mitigation, but suggested adding seed mixes or additional shrubs as needed, especially in areas where extensive areas of invasives are removed. She agreed that this would help ensure the wetland area was appropriately restored.

The Commission members were asked for any comments or questions.

Comm. Sevier inquired about the logistics of the emergency gravel placement, questioning whether it would have required significant time and resources to bring in enough stone and equipment. Mr. Clancy explained that Eversource typically uses temporary matting for access in wetland areas, especially for emergencies. The geotextile fabric and gravel were quicker to deploy than matting, especially given the timing of the outage in the winter, when matting was harder to find. He noted that the gravel had been left in place longer than intended, leading to the need for restoration.

Comm. Sevier also pressed for a clearer timeline and better record-keeping, as it seemed a substantial amount of material and machinery would have been used. Mr. Clancy mentioned that he could investigate further to determine exactly when the gravel was placed, but his role primarily involves permitting and not procurement.

Mr. Halliwell provided clarification, noting that the restoration work would include consideration of the underground distribution lines, which also impacted access. He shared a picture showing the edge of the gravel near the poles.

Chair Henkels asked whether a monitor would be on-site during the restoration. Mr. Halliwell confirmed that a wetland scientist would be present during construction to assess progress and communicate with Coordinator Capone as needed. After the work was completed, they would submit a final report and provide annual monitoring updates.

Coordinator Capone expressed satisfaction with the monitoring process and the restoration plans.

Chair Henkels inquired about the timing of the last site visit, asking if it had been in the middle of January. Mr. Clancy confirmed that it was indeed in January, and they had visited during very cold weather. Chair Henkels mentioned that there were two osprey nests on the south side of the site and questioned whether any activity had been observed. Mr. Clancy responded that there was a platform installed for the osprey, but that it was too early in the season for osprey activity in this area.

Mr. Halliwell added that he had been out to the site for a maintenance project related to installing counterpoise on some structures, and that the notification had been submitted to Coordinator Capone. Chair Henkels asked if there were any further comments or questions from the Commissioners or the public, and Coordinator Capone indicated that the only change to the Order of Conditions was that an as-built plan would not be required for the restoration project. Instead, the wetland scientist's reports would serve as a substitute.

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

Chair Henkels then moved on to the review of the Order of Conditions, which had been sent to the Commissioners before the meeting. Coordinator Capone confirmed that Mr. Halliwell and Mr. Clancy had reviewed it and had no further comments other than the change concerning the as-built plan.

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

Adjourn Meeting

On motion by Comm. Faust to adjourn the meeting at 8:34 PM, seconded by Comm. Porter, via roll call the vote was unanimous in the affirmative.