



## SUDBURY CONSERVATION COMMISSION MINUTES

Meeting Minutes of Monday, April 7, 2025

**Present:** David Henkels, Chair; Ken Holtz, Vice Chair; Jeremy Cook; Bruce Porter; Kasey Rogers (7:10 PM); Mark Sevier; Harry Hoffman, Associate Member; and Lori Capone, Conservation Coordinator

**Absent:** Luke Faust

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

### 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.

Coordinator Capone confirmed that the DEP number was still pending and recommended continuing the Hearing to the next meeting on April 28, 2025.

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: 70 Ridge Hill Road, DEP #301-1439**

Chair Henkels resumed the Hearing for the project to replace an existing septic system within the 100-foot Buffer Zone and 200-foot Riverfront Area, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw. Alice Sapienza was the applicant.

Vito Colonna of Connorstone Engineering presented the revised septic system replacement plan, explaining that the existing house is located at the end of Ridge Hill Road, where the road transitions into Hunt Road. A common driveway serves both the subject house and a lot to the rear. The property is bordered by a perennial stream at the rear and an intermittent stream along the side, both of which are assumed to be perennial under the local Bylaw. He identified associated Bordering Vegetated Wetlands and the 100-Year Floodplain, the latter located on the far side of the driveway, away from the proposed work area.

Mr. Colonna stated that the existing septic system, located near the front of the property, had failed. The proposed replacement system was sited in the front corner of the lot, as far from the wetlands as feasible. This innovative system was proposed to reduce the leaching field size by 40%, and pressure dosing was incorporated to ensure even effluent distribution. He emphasized that the design met all Board of Health and Title 5 requirements, including required groundwater separations.

He noted the water service would need to be relocated, as the existing service was flagged as running through the new system's footprint. The revised alignment would route the line around the house to meet the required 10-foot separation from the leach field. Due to site constraints, routing through the front was not possible without crossing the septic line. The entire septic system work area was within existing lawn, and only a few pine trees along the property line would potentially need to be removed to accommodate the new water line. He also shared a site photo for reference.

Coordinator Capone confirmed that the plan had been slightly revised since the last hearing, moving the system two feet closer to the wetland to satisfy Board of Health requirements. She confirmed that the Board of Health had approved the updated plan and that the system was sited as far as possible from the resource areas. She recommended the Commission close the Hearing and issue a decision.

Comm. Sevier inquired about the existing tank's removal, noting the proposed tank appeared to overlap its location. Mr. Colonna responded that most, if not all, of the existing tank would be removed to install the new one. Comm. Sevier also observed that a portion of the system extended beyond the jurisdictional boundary. Mr. Colonna clarified that while part of the system was within the 100-Foot Buffer Zone, the majority of it was outside the Buffer Zone and outside the State-designated Riverfront Area, though still within the local Riverfront Area.

Chair Henkels invited public comment. Ms. Sapienza, the property owner at 70 Ridge Hill Road, stated she had no questions and had been working closely with the engineering team. Chair Henkels asked if there were further questions from Commissioners.

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

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

### **Notice of Intent: 31 Meadow Brook Road, DEP #301-TBD**

Chair Henkels opened the Hearing for the project to install a septic system within the 100-foot Buffer Zone, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw. Deanna Clarence was the applicant.

Matt Marro of Marro Environmental Consulting, presented the application on behalf of the applicant. He shared the site plan explaining that the project involved the replacement of a failed subsurface sewage disposal system. The proposed system, including a new tank and leach field, would be installed further from the wetlands than the existing system. He pointed out the location of the wetland boundary and noted that while a portion of the tank was within the 50 feet of wetlands, the leach field was proposed at approximately 59 to 60 feet from the wetland, which is beyond the state-required 50-foot setback.

Coordinator Capone confirmed that the existing system was both in failure and noncompliant with the Wetlands Protection Act. She stated that the proposed system would comply with the Act but noted that the local Bylaw allowed the Commission to require greater setbacks. She confirmed that the leach field would be approximately 60 feet from the Wetland and the tank would be just inside the 50-foot line. She mentioned the only possible alternative location that would be entirely outside the Buffer Zone was the front yard, which currently contains a gas line and a water line. She said no percolation testing had been conducted in that area, but the Commission could consider it as a potential alternative.

Coordinator Capone noted that percolation testing at the proposed leach field site had been attempted under frozen ground conditions, so the Board of Health had conditioned that new testing must be completed during installation. She invited Evan Carloni to provide more detail on the existing and proposed systems and to explain the rationale for not using the front yard as an alternative location. Chair Henkels invited Mr. Carloni to speak.

Evan Carloni of Innovative Septic Design introduced himself as the designer of the proposed septic system for the applicant. He described the current system as a 3-bedroom setup with two leach pits and one septic tank. He noted that the existing leach pits were approximately 30 feet from the wetland boundary and extended into the groundwater table based on recent testing.

Mr. Carloni explained that the proposed system would be located about 60 feet from the wetland and would use a patented sand filter system rather than a conventional pipe-and-stone system. He emphasized that this system would provide enhanced treatment, producing effluent that is approximately ten times cleaner than conventional systems.

Mr. Carloni addressed the alternative of placing the system in the front yard. He noted that the location contains both a gas line and a water line, which limits usable space. He explained that the building sewer exits under a finished portion of the house, meaning the exit point could not be easily changed without significant disruption.

Mr. Carloni described how the current proposed side yard location was selected due to its openness and lack of utility conflicts. He acknowledged that testing had been limited by frozen ground but explained that adjacent test pits were used to approximate conditions.

Regarding the front yard alternative, Mr. Carloni explained that routing the sewer line there would require increasing the line's length from 40 feet to over 100 feet. This would likely involve crossing utilities and potentially relocating a water or gas line, both of which would add cost and complexity. Additionally, he said that due to the slope and water table, the longer sewer line might require a pump chamber, further increasing system cost and maintenance needs.

Chair Henkels asked a clarifying question about the percolation test. Mr. Carloni responded that the required procedure was to identify the most restrictive soil layer, which in this case was a sandy layer found about four feet deep. The test performed in that layer resulted in an extremely fast infiltration rate—less than two minutes per inch—meaning the soil was highly permeable and ideal for septic systems.

Coordinator Capone followed up by asking if the system had any maintenance requirements that should be included in the Order of Conditions, particularly because the house was either recently sold or on the market. Mr. Carloni stated that this system did not require ongoing maintenance but agreed to follow up with Coordinator Capone as needed.

Chair Henkels then invited questions from the Commissioners.

Comm. Sevier began by asking about the labeling of the septic tank as “1000/500 gallon.” Mr. Carloni explained that this referred to a 1,500-gallon dual-compartment tank, with the notation used to clarify that both compartments were required. He noted the dual-compartment configuration helps improve effluent quality by allowing for better clarification before the wastewater enters the leach field.

Comm. Sevier also asked about the locations marked with black and white targets on the plan, confirming these were test pits. Mr. Carloni affirmed that and said one test pit would also be conducted in the middle of the proposed leach field at the time of installation.

Comm. Holtz inquired about the tank's proximity to the house and whether it could be moved further from the Buffer Zone. Mr. Carloni said it might be possible to relocate it west of the house near an existing leach pit, but this would significantly lengthen the building sewer. He explained that longer building sewers are more prone to clogging and are less effective, especially given the preferred 2% slope for gravity-fed systems.

Mr. Marro added that relocating the tank could also increase maintenance requirements due to the shallower slope, making the sewer line more prone to plugging. He stated that the current configuration was designed to minimize long-term maintenance within the Buffer Zone.

Mr. Carloni agreed and emphasized that the existing layout follows best practices by keeping the building sewer as short as possible. He noted that moving the tank closer to the porch would likely require changes to the sewer pipe alignment and could result in minimal improvement to the wetland setback.

Comm. Holtz asked if moving the tank closer to the porch would bring it too close to the house. Mr. Carloni confirmed that it would, noting that it might require curving the sewer and possibly using a side outlet, which would not significantly increase the wetland setback.

Comm. Sevier followed up to confirm whether the proposed tank location was in a previously disturbed area. Mr. Carloni responded that the proposed tank would be located approximately 38 feet from the BVW, compared to 29 feet for the existing tank, gaining 9 feet of additional setback.

Comm. Sevier also asked whether the existing system had two leaching pits in addition to a tank. Mr. Carloni confirmed this and identified the existing tank as the rectangular structure closest to the proposed tank, with two circular leaching pits—one just beyond the tank and another about 10 feet off to the side of the house.

Chair Henkels asked Coordinator Capone for clarification regarding groundwater separation testing. She confirmed that while testing had been completed, it was not done in the precise location of the proposed system. Therefore, the applicant planned to conduct additional testing during installation to confirm conditions without disturbing the site multiple times.

Chair Henkels noted the proposed dual-compartment tank system was significantly more advanced than the existing system and confirmed that it complied with both DEP regulations and the local Bylaw. He stated that the Hearing would need to be continued regardless, due to the absence of a DEP file number.

He asked if the Commission would still require the groundwater separation testing to be done before the next hearing. Coordinator Capone said she was comfortable with the testing being done at the time of installation, to avoid disturbing the area twice.

Chair Henkels confirmed with her that there were no outstanding issues from the Board of Health.

He summarized the matter for the Commission, stating that the issue was whether they were satisfied with the current plan as presented, contingent upon testing being completed during installation, and whether they preferred to continue the discussion or accept the proposed location.

Comm. Sevier stated that the proposed location seemed logical and said he had no further questions. He supported continuing the Hearing solely to await the DEP file number.

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

### Certificates of Compliance

#### **Leibowitz, 15 Laurel Circle, DEP #301-0208**

Coordinator Capone explained that the original Order of Conditions dated back to 1987 and covered the construction of a subdivision. A Certificate of Compliance had never been issued for the overall road construction. However, the current request pertained to an individual lot within that subdivision, which was now being sold. She recommended issuing a partial Certificate of Compliance to release this specific lot from the original Order. She confirmed that a site visit had been conducted and found the property in compliance with the approved conditions.

Chair Henkels invited questions from the Commission.

Comm. Cook asked a clarifying question about the Order. Coordinator Capone responded that once the Order of Conditions is recorded on a deed, it "lives forever" until a Certificate of Compliance is issued.

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

### Other Business:

Coordinator Capone stated that Phase 2 of the Mass Central Rail Trail project was beginning this week. She noted that the corridor had been inactive for a period but would soon show visible progress. She explained that the work would include fine grading of the trail, installation of pavement, and the addition of amenities. Coordinator Capone further clarified that most of the work was scheduled to take place between that time and June 30, and that there would be a significant increase in activity in the area during that period.

### Adjourn Meeting

On motion by Comm. Sevier to adjourn the meeting at 7:35 PM, seconded by Comm. Cook, via roll call the vote was unanimous in the affirmative.