



SUDBURY CONSERVATION COMMISSION MINUTES

Meeting Minutes of Monday, June 9, 2025

Present: David Henkels, Chair; Ken Holtz, Vice Chair; Luke Faust (7:38 PM); Bruce Porter; Kasey Rogers (7:29 PM); Mark Sevier; and Lori Capone, Conservation Coordinator

Absent: Jeremy Cook; Harry Hoffman, Associate Member; Victor Sulkowski, Associate Member

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

Other Business:

Students Civics Project: Lincoln Meadows Community Garden

Chair Henkels introduced the civics project created by 8th grade students from Curtis Middle School. He explained that the students had won first prize in their civics competition for a proposal to improve Sudbury's community garden located at Lincoln Meadows.

Teacher Gary Grassey, who supported the students in their project, confirmed that the students would be presenting the slides themselves. The students—Catie Goldman, Kayla Goodman, Caroline Thompson Schwab, Gabrielle Pajarillaga, and Avery Booth—introduced themselves as requested.

The presentation focused on existing issues at the Lincoln Meadows community garden and proposed improvements. The students identified four main concerns: water access, fencing, accessibility, and storage space. They observed that inconsistent fencing, limited water availability, narrow overgrown walkways, and a shed that was not weather-tight were key reasons for low garden usage and dissatisfaction among current gardeners.

The students supported their findings with photographs they had taken during site visits and explained their research methodology. They had conducted a survey with 67 respondents from Sudbury and surrounding towns. The survey revealed that many residents were unaware of the garden, yet a strong majority supported the idea of improving it.

The students proposed practical solutions for each issue. These included providing uniform fencing for all plots to address both aesthetics and protection from animals; upgrading the existing shed or replacing it with a weatherproof option; installing a solar well and irrigation system for reliable water access; and improving the walkways to enhance accessibility.

They concluded by expressing appreciation for the Commission's time and support and shared their hope to collaborate with the town to implement improvements to the community garden.

Chair Henkels thanked the students for their presentation and acknowledged the complexity of seeing a project like this through to completion. He explained that appearing before the Conservation Commission was just one part of a broader regulatory process and commended them for taking that important first step.

Chair Henkels asked whether the students had considered the next steps beyond their initial proposal. Ms. Goldman responded that the group hoped their presentation would spark further discussion among town officials and residents, leading to meaningful improvements at the garden. Chair Henkels asked if there was any additional information they wanted to offer, and Ms. Goldman replied that there was not much more to add at that time.

Chair Henkels encouraged the group to explore other town resources and committees, including the Community Preservation Committee (CPC), noting that understanding funding mechanisms and regulations would be critical

to advancing their project. When asked if they were graduating, Ms. Goldman confirmed that they were. Chair Henkels then asked about the future of the project.

Ms. Desai, another student involved in the project, said the group hoped to continue the work as they got older, following the example of past students who stayed involved with similar projects into high school.

Mr. Grassey, added that there were three typical avenues for students to continue their work. First, through clubs at Lincoln-Sudbury Regional High School; second, through civics projects as part of the 10th-grade curriculum; and third, through their own personal initiative and outreach.

Chair Henkels thanked Mr. Grassey and reiterated the importance of exploring the CPC, explaining that it is a volunteer committee that helps fund town projects involving historical preservation, open space, affordable housing, and recreation. He encouraged the students to read more about it on the town's website and also to familiarize themselves with the permitting processes available through the Conservation Commission, such as filing a Notice of Intent or a Request for Determination of Applicability. He emphasized that additional work would be necessary to address both permitting and funding and offered reassurance that town officials would be available to help guide them through those steps.

Chair Henkels concluded by again expressing appreciation for the presentation and turned the floor over to the other Commissioners for comments or questions.

Comm. Holtz commended the group for a well-written letter and impressive slides. He remarked that they had set a high bar for the evening's presentations. He acknowledged the extensive work required to improve the existing Lincoln Meadows garden and expressed hope that some improvements might be implemented before the students reached 10th grade.

Comm. Holtz asked Coordinator Capone about the status of the proposed Broadacres community garden and whether lessons learned from Lincoln Meadows were being applied. Coordinator Capone explained that funding for the Broadacres garden had not been secured due to community concerns over whether it was the best use for that property. She affirmed that all the issues raised by the students would need to be addressed in any future design for Broadacres.

Comm. Holtz then asked the students whether they had noticed any weed barriers at Lincoln Meadows. Ms. Goldman responded that during their visit, they had not observed any clear preventative measures and noted that some paths were difficult to walk due to overgrowth.

Comm. Porter added that the project was an excellent initiative and recommended including a cost estimate in future presentations. Ms. Goldman replied that their estimate ranged between \$10,000 and \$15,000, depending on variables like fencing. Ms. Pajarillaga added that paving costs could range from \$1.25 to \$15 per square foot, depending on the material.

Comm. Sevier asked whether paving the walkways was part of their plan. Ms. Desai responded that paving was one option, but they were also considering more sustainable approaches, such as removing weeds or laying cardboard.

Comm. Sevier inquired about the status of the solar well. Coordinator Capone responded that \$40,000 had been secured for the project, but there were logistical challenges because there was no electricity on site and no company willing to handle both the well installation and the solar component. She said they were working toward installation this summer.

Comm. Sevier then asked if the students planned to continue the project as a group. Ms. Goodman said they did, noting that they all would be attending the same high school and were committed to keeping the project going, particularly during the 10th-grade civics requirement.

Chair Henkels acknowledged the numerous layers of the project, including funding, permitting, and sustainability, and encouraged the students to continue learning about the process. He reiterated that while it may be daunting, success was possible if they persevered.

Mr. Grassey, their teacher, added closing remarks. He praised the students as an outstanding group and emphasized that the civics project was designed to teach students how to work within local government, understand relationships, follow procedures, and take on manageable, real-world issues. He expressed gratitude to the Commission for supporting the educational experience.

Chair Henkels thanked Mr. Grassey and the students once again and expressed optimism that the project would continue with strong community support.

Minutes

On motion by Comm. Holtz to accept the minutes of the April 28, 2025 meeting, seconded by Comm. Sevier, via roll call the vote was unanimous in the affirmative. (Comm. Rogers was not present for this vote.)

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. Matthew Drew was the applicant. This Hearing was continued from January 27, 2025.

On motion by Comm. Sevier to continue the Hearing to June 23, 2025, seconded by Comm. Holtz, via roll call the vote was unanimous in the affirmative. (Comm. Rogers was not present for this vote.)

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.

On motion by Comm. Holtz to continue the Hearing to June 23, 2025, seconded by Comm. Porter, via roll call the vote was unanimous in the affirmative.

Notice of Intent: 222 Peakham Road, DEP #301-1444

Chair Henkels resumed the Hearing for the project to install after-the-fact an above-ground pool with deck and install an addition within the 100-foot Buffer Zone, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw. John Tierney was the applicant. This Hearing was continued from May 19, 2025.

Gilbert Hudson of 222 Peakham Road returned before the Commission to present an invasive species mitigation plan in connection with a previously proposed addition and pool project. He shared updated visuals and described the extent of bittersweet and other invasive growth along the property's wetland edge, particularly in close proximity to the proposed work area. He explained that he would be working with Lynch Landscaping to remove invasives manually and dispose of the material off-site. This work had been done in a different area of the property approximately three years ago, and he stated his intent to repeat the process annually to maintain control of regrowth.

Coordinator Capone stated that she had initially been concerned about the invasives removal being a one-time effort, especially given the permanent nature of the structures being proposed. While replanting with native species is usually preferred, she acknowledged that consistent annual removal could achieve similar results over time, allowing native vegetation to recover. She expressed support for the plan contingent on the applicant's commitment to ongoing maintenance.

Comm. Sevier raised the issue of long-term sustainability and questioned whether a transition plan back to native plantings should be incorporated, especially in the event of a future property transfer. He suggested deferring that discussion until the applicant applies for a Certificate of Compliance, at which time a more permanent mitigation strategy could be evaluated.

Mr. Hudson replied that his current focus was on project completion and that he was not prepared to develop a planting plan at this time. He expressed willingness to revisit native plantings in the future, with input from Coordinator Capone, and reaffirmed his intent to remain at the property for the foreseeable future.

Comm. Porter asked whether the mitigation effort could be formalized through a deed restriction. Coordinator Capone acknowledged that she had intended to include a perpetual condition requiring annual maintenance of the invasive species removal area, and confirmed this would be recorded with both the Order of Conditions and the Certificate of Compliance.

Comm. Faust asked about the outcome of prior invasive removal conducted on another area of the property. Mr. Hudson explained that the previous effort had been successful and resulted in long-term clearing, though invasive regrowth in the current work zone had become dense due to the limited buffer between existing structures and the wetlands.

Chair Henkels asked whether natural regeneration had occurred following the earlier removal. Mr. Hudson stated that rhododendrons, which were already present, had begun to thrive in the cleared area. He noted that the work had been done among trees, not in lawn, and the goal had been to relieve the trees of invasive pressure.

On motion by Comm. Rogers to close the hearing, seconded by Comm. Sevier, via roll call the vote passed.

Chair Henkels confirmed that all Commissioners had received and reviewed the draft Order of Conditions prepared by Coordinator Capone. He asked whether there were any special provisions unique to the application. Coordinator Capone noted that the invasive species mitigation and the inclusion of a perpetual condition for ongoing maintenance were the primary provisions specific to this project. No other outstanding or unusual conditions were noted.

Chair Henkels invited the applicant to comment. Mr. Hudson indicated he had no questions and thanked the Commission. Mr. Tierney, the project builder, introduced himself and stated the only existing plant likely to be disturbed was a Japanese maple. He confirmed that appropriate erosion controls, including silt socks or fencing, would be installed as required.

On motion by Comm. Rogers to issue the Order of Conditions, seconded by Comm. Sevier, via roll call the vote passed. Comm. Faust abstained.

Notice of Intent: 17 Hopestill Brown Road, DEP #301-1443

Chair Henkels resumed the Hearing for the project to expand an existing deck within the 100-foot Buffer Zone and local riverfront area, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw. Josh Liberman was the applicant. This Hearing was continued from May 19, 2025.

Chair Henkels confirmed that no further questions remained from the Commission, noting that all outstanding issues had been addressed during the prior hearing. Coordinator Capone agreed, stating that there was no mitigation required for the project and that the draft Order of Conditions had already been reviewed.

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

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: 173 Peakham Road, DEP #301-TBD

Chair Henkels began the Hearing for the project to remove trees after-the-fact within the 100-foot Buffer Zone and local Riverfront Area, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw. Pieter and Esther Duplessis were the applicants.

Mr. Duplessis stated that they purchased their home in 2014 from the original owners, who had built the house in 1973 and vacated approximately seven years prior to the Duplessis' purchase. At the time of purchase, they were unaware of the applicable wetlands regulations and limitations related to land management on the property.

Since moving in, they had observed progressive tree decline on the property, including insect infestation and structural failure in several large trees. Mr. Duplessis described a pattern over the past 10 years of retaining professional tree services to evaluate and selectively remove hazardous trees based on safety concerns. More recently, within the last two years, several large trees had failed — one of which fell while he was working from home — which significantly elevated their concerns regarding risk to their family and neighboring properties.

This prompted them to contract Rusty's Tree Service to assess and remove approximately 11 trees, all but two of which were confirmed to be dead. The two live trees were in close proximity to the failed tree and were removed out of an abundance of caution. Mr. Duplessis stated that during the consultation, they asked the contractor whether any permits were required and were incorrectly advised that no permits were necessary. He acknowledged this was a mistake made out of naiveté rather than willful disregard for regulations.

He emphasized that the primary motivation was safety and liability mitigation, not aesthetics or expansion. He noted that invasive species remain present on the site and that, as they have become more educated about proper land stewardship in the Buffer Zone, they intend to take a phased approach to addressing these invasive species over time.

Mr. Duplessis expressed some remorse over the process but also stated that some areas of the yard have responded well ecologically since the removals, with healthier shrubs and new growth appearing. He concluded by reiterating that they did not intend to evade the rules and are now fully committed to working cooperatively with the Commission going forward.

Coordinator Capone confirmed that she had visited the property and observed the stumps remaining from the trees that had been removed. She noted that the area was well vegetated and located within both the Buffer Zone and the Riverfront Area. She confirmed that most of the trees removed appeared to have been dead or dying, which was consistent with the homeowners' description and with what she had observed in the field.

She stated that although the work had been done without a permit, the homeowners had responded appropriately once notified and had immediately filed a Notice of Intent. She added that they had been cooperative throughout the process. She concluded by noting that the Commission would need to consider whether further conditions or follow-up measures were warranted, and that no DEP File Number had yet been issued, which would require the Hearing to be continued.

Coordinator Capone expressed that the applicant would like to prune additional trees near the house and clarified that under the Sudbury Wetlands Administration Bylaw, pruning is only exempt if branches physically extend over a structure. In this case, most of the trees in question were simply growing toward the house, not over it. She confirmed the area is approximately 95 feet from the wetland, and stated that pruning in this zone would not pose a risk to resource areas, but still technically requires approval.

Mr. Duplessis expressed willingness to comply with all requirements and to submit additional paperwork if necessary for future pruning. They reiterated that their intention was to manage their property responsibly and safely.

Chair Henkels invited any final questions, but none were offered, and the Commission moved forward in its discussion.

Chair Henkels confirmed that a DEP File Number had not yet been issued, and therefore the Commission could not close the hearing or vote on the Order of Conditions.

Comm. Sevier proposed that the applicant be allowed to continue pruning the remaining hemlocks near the house, provided that activity is included in the permit as a perpetual allowance to maintain clearance from the structure.

Commissioners discussed the broader issue of tree removals and pruning under the Bylaw, with some expressing concern that the Bylaw is too strict for routine safety-related tree maintenance. Others, including Comm. Sevier, emphasized the need to maintain oversight, especially in cases where tree companies may misinform

homeowners. Chair Henkels suggested that reviewing the Bylaw language to provide clarity or allowances for limited removals could be worthwhile for future discussion.

Since the DEP File Number was still pending, Chair Henkels requested the applicants' consent to continue the hearing to June 23, 2025. Mr. Duplessis agreed and thanked Coordinator Capone and the Commission for their guidance.

On motion by Comm. Faust to continue the Hearing to June 23, 2025, seconded by Comm. Rogers, via roll call the vote was unanimous in the affirmative.

Certificates of Compliance:

Coronado: 82 Washington Drive, DEP #301-1345

Coordinator Capone summarized that the project involved installing a shed, repairing a fence damaged by a fallen tree, replacing a deck, and installing a patio. The homeowners installed the shed and repaired the fence but chose not to replace the deck, only repainting it, and did not install the patio.

As mitigation, the homeowners removed a substantial area of invasive winged euonymus and replanted with six native shrubs, exceeding the required five. Although deer are heavily browsing the new plantings, the mitigation obligations were met.

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

Theriault: 57 Willis Lake Drive, DEP #301-1373

Coordinator Capone explained that the project involved a landscaping effort on a sloped site adjacent to a vernal pool. The previous retaining structure, made of railroad ties, was deteriorating, causing soil erosion. The homeowners replaced it with a VERSA-LOK concrete wall, carefully installed given the proximity to the vernal pool.

To stabilize the area and enhance habitat, over 200 native plants were installed both below the wall and throughout the landscaping. The homeowners also removed many invasive plants on the site. Coordinator Capone stated the project was successful, with no adverse impacts to the vernal pool, and recommended issuing the Certificate of Compliance.

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

Other Business:

Subcommittee Appointment

Chair Henkels announced that discussion regarding the appointment to the Community Preservation Committee Subcommittee would be postponed until the next meeting. He stated that he preferred to have Assoc. Comms. Harry Hoffman and Victor Sulkowski present for that discussion.

Camp Sewataro

Coordinator Capone updated the Commission on the management of the swimming and fishing ponds at Sewataro. She explained that due to a recent cyanobacteria bloom, the swimming pond remained closed last summer. The Commission had approved lowering the cyanobacteria cell count threshold and allowing a pre-treatment last year to prevent blooms. A treatment was done recently, which cleared the water in the swimming pond, but when water circulated back from the fishing pond, beneficial algae flourished, reducing water clarity to only about 2 feet, whereas 4 feet of clarity is required to open the pool.

To address this, the camp proposed disconnecting the swimming pond from the fishing pond for the entire summer to prevent water circulation between them. The Commission was asked to approve a one-time algal treatment of just the swimming pond. Additional treatments would require further approval.

Comm. Holtz asked about the permanence of the disconnection, possible alternative water sources for refilling the swimming pond, and whether the pond would still be regulated as a wetland resource if disconnected. Coordinator Capone explained the unique setup: the swimming pond has a sealed bottom but drains into a nearby brook when emptied, so it remains jurisdictional. The camp might consider permanent disconnection depending on results.

Comm. Holtz also asked about water filtration, spring inflows, and whether the Board of Health has weighed in. Coordinator Capone confirmed there is no filtration beyond an aerator and that the Board of Health has not yet issued a permit to open the pool due to insufficient water clarity.

Chair Henkels summarized the request as approval for a one-time algae treatment to clear the swimming pond so it can open this summer, with further amendments to be considered if necessary.

Comm. Rogers expressed concerns based on her experience with pool inspections, highlighting that without filtration, water exchange, or ongoing treatment, the swimming pond could develop new problems such as bacterial (*E. coli*, *pseudomonas*) or other algal buildups. She warned that while the proposed treatment might solve the current algae issue, other water quality problems could emerge as the water heats and children swim.

Comm. Sevier asked how the system had operated previously. Coordinator Capone explained that in the past chlorine was introduced into the pond as needed, which was not permitted under wetlands regulations. The current program was designed to treat the water in a way compliant with the Wetlands Protection Act. Commissioners noted skepticism about stagnant water systems and concerns about long-term solutions.

Comm. Holtz suggested permitting the current treatment as a short-term measure but requiring the camp to consult with the Commission before reconnecting the ponds, allowing the Commission to review any further plans or changes.

Comm. Sevier noted that a longer-term solution might involve converting the swimming pond into a more conventional pool with filtration, which would be costly but potentially more effective. Comm. Rogers added that since the site already has other traditional pools, it was unclear why so much effort was focused on maintaining this "pseudo pool."

On motion by Comm. Holtz to permit the algae treatment, seconded by Comm. Sevier, via roll call the vote was unanimous in the affirmative.

Bruce Freeman Rail Trail – Pollinator Garden

Coordinator Capone reminded the Commission of a previously approved modification to the Bruce Freeman Rail Trail project involving collaboration with OARS and the Sudbury Garden Club. The project included ecological enhancements along the stream at Morse Road and the creation of a new pollinator garden across from the stream. This work was funded by a \$40,000 grant.

Coordinator Capone reported that the installation had been completed the previous Friday and praised the improvements. She added that the Commission or staff would now be responsible for watering and upkeep. She encouraged members to visit and enjoy the area once the trail is officially open.

Comm. Rogers commented on current issues with unauthorized trail access, noting that people were pushing gates over, and Chair Henkels agreed, describing the situation on both the Mass Central and Bruce Freeman trails as chaotic.

Adjourn Meeting

On motion by Comm. Sevier to adjourn the meeting at 8:19 PM, seconded by Comm. Faust, via roll call the vote was unanimous in the affirmative.