



SUDBURY CONSERVATION COMMISSION MINUTES

Meeting Minutes of Monday, January 12, 2026

Present: David Henkels, Chair; Ken Holtz, Vice Chair; Jeremy Cook; Bruce Porter; Mark Sevier; Victor Sulkowski, Associate Member; and Lori Capone, Conservation Coordinator

Absent: Luke Faust; Kasey Rogers; Harry Hoffman, Associate Member

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

Wetland Applications:

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 outbuilding, 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, June 23, August 4, and December 12, 2025.

On motion by Comm. Sevier to continue the Hearing to January 26, 2026, 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 resumed 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, October 21, 2024 and October 20, 2025.

On motion by Comm. Porter to continue the Hearing to January 26, 2026, seconded by Comm. Cook, via roll call the vote was unanimous in the affirmative.

Notice of Intent: 32 Emerson Way, DEP #301-1458

Chair Henkels resumed the meeting for the project to construct a detached garage within the 100-foot Buffer Zone, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw. Frank Vincentelli was the applicant. The Hearing was continued from December 12, 2025.

On motion by Comm. Sevier to continue the Hearing to January 26, 2026, seconded by Comm. Cook, via roll call the vote was unanimous in the affirmative.

Request for Determination of Applicability: 260 Landham Road, RDA #25-18

Chair Henkels began the meeting for the project to remove trees and fence, reconstruct an addition, install plantings and lawn, and decommission a septic system within the 100-foot Buffer Zone, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw. Pedro Lopes was the applicant.

Mr. Lopes stated that he was attending remotely from Brazil and apologized for missing the prior meeting due to a family emergency.

He then described the proposed work using the site plans. He identified the 100-foot Buffer Zone and explained that all highlighted work was within the 75- to 100-foot Buffer Zone. He described the existing septic system,

which would be decommissioned and relocated outside the area near the garage and driveway. He stated that the existing sunroom addition would be partially excavated and reconstructed to align with a revised floor plan. He noted limited tree removal near the proposed erosion controls and explained that the foundation work would retain the existing concrete slab, with additional sonotubes installed to properly support the structure. He also described removal of a chain-link fence, brick pavers, and existing landscaping, with disturbed areas to be restored with grass. He stated that the two trees proposed for removal were in poor condition and that new landscaping would be added following project completion.

Coordinator Capone shared aerial imagery to place the site in context relative to wetland resources. She identified Landham Brook and associated Bordering Vegetated Wetland and floodplain south of the property, described the approximate wetland boundary, and showed the extent of the 100-foot Buffer Zone and the 200-foot Riverfront Area. She stated that none of the proposed work was within the Riverfront Area and that all work was limited to the Buffer Zone. She identified the sunroom area and the two trees proposed for removal, noting that ground disturbance would be minimal. She explained that septic decommissioning would involve crushing the tank and filling the area, which was currently lawn.

Coordinator Capone recommended issuance of a Negative Determination of Applicability, confirming that the work was within jurisdiction but would not alter resource areas, subject to conditions. These conditions included a pre-construction site meeting to review erosion controls, use of native plant species approved by the Commission within the 100-foot Buffer Zone, no irrigation within jurisdictional areas, and submission of post-construction photo documentation demonstrating compliance.

Chair Henkels thanked Coordinator Capone and asked Commissioners for questions.

Assoc. Comm. Sulkowski asked Coordinator Capone to clarify the location of the existing swimming pool and whether it was within the Commission's jurisdiction. Coordinator Capone explained that the pool structure itself was outside jurisdiction, but the fence surrounding the pool and the associated hedgerow were within the Buffer Zone and therefore within jurisdiction. She stated that the proposal included removal of the fence and shrubs, removal of the pool structure, and restoration of the area to lawn.

Comm. Holtz asked whether the sunroom portions within jurisdiction were still standing, noting that the house appeared largely demolished. Mr. Lopes responded that the sunroom structure had already been removed by hand, with all glass panels taken out, and that no heavy equipment had been used. He stated that everything removed had been above an existing concrete slab and footer, and that no ground disturbance had occurred. Comm. Holtz asked for confirmation that no sonotubes had been installed and that the slab and patio remained intact. Mr. Lopes confirmed that the slab and tile remained in place, no sonotubes had been dug, and only the vertical structure had been removed.

Comm. Sevier asked whether the applicant intended to keep the slab and drill through it for sonotubes. Mr. Lopes confirmed that was the plan if necessary. Comm. Sevier asked whether the slab was frost-protected. Mr. Lopes responded that it was, but explained that the existing footings appeared to be only about two feet deep based on initial investigation. He stated that his engineer had visited the site and would test further to determine whether the existing perimeter footing could be retained. He explained that sonotubes would only be installed if the existing footing was inadequate.

Comm. Sevier noted that installation of sonotubes would require partial removal of the slab, which Mr. Lopes confirmed, explaining that the slab would be re-poured so the system functioned as a single integrated foundation. Comm. Sevier commented that the area had previously been impervious under a roof and stated that, in his view, constructing a proper foundation would be preferable to working with a substandard condition, even if it required machinery. Mr. Lopes agreed and explained that he preferred sonotubes over pin piles due to depth and structural performance, noting that pin piles were shallower and more invasive overall.

Comm. Sevier asked whether the project involved converting the structure to a two-story house, and Mr. Lopes confirmed that it did.

Chair Henkels thanked Comm. Sevier and again asked Commissioners and members of the public whether there were any further questions. No additional questions were raised.

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

Plan Modification:

Huss, 331 Hudson Road, DEP #301-1428:

Chair Henkels began the meeting to modify the plan to include a walkway, replace a retaining wall, and install cobble features to the driveway.

Fred Anderson of Anderson Landscape Construction introduced himself and stated that his firm was responsible for the landscape work at the property. He explained that the purpose of the presentation was to describe proposed additions to the work currently underway and to share photographs illustrating the proposed improvements.

Chair Henkels stated that he had made an administrative error and requested that Coordinator Capone first provide a brief update to the Commission and the public before returning to Mr. Anderson's presentation. Coordinator Capone explained that the project had previously appeared before the Commission multiple times and that an Order of Conditions had been issued in March for construction of a six-car garage and a second story addition to the existing house. She noted that the site was located within the Riverfront Area to Run Brook, with most of the site within 100 feet of the resource area. She described the prior review process, which focused on confirming that site alterations would remain below the 5,000 square foot threshold under the Wetlands Protection Act. She stated that construction was well underway and progressing satisfactorily. Coordinator Capone explained that the items proposed for discussion that evening represented modifications outside the scope of the original review and were therefore being brought back to the Commission for evaluation.

Mr. Anderson presented images of the proposed work. He described the installation of cobblestone aprons in front of the garage and at the street. He explained that the street-side cobblestone would help prevent runoff from the roadway from flowing down the driveway. He stated that this installation would be located on the town portion of the property due to spacing constraints and that he was working with the Town to obtain the necessary permission.

Mr. Anderson then described the proposed replacement of an existing timber wall located on Town property. He stated that the timber wall had been partially removed and that, due to concerns about longevity, it would be replaced with a similar structure of comparable size and height that would be more durable over time.

He next discussed a proposed walkway to the front door that had not been included on the original civil drawings. He described the walkway as a permeable bluestone installation with crushed stone and 3/8-inch stone beneath, with fine stone used in the joints to allow water infiltration. He stated that this type of installation had been used successfully on other projects and that it performed well for permeability when properly maintained. He noted that the walkway would match the existing bluestone on the front stairs and landing.

Mr. Anderson then presented an image showing the specific areas of work. He described the new curved walkway to the front door, noting that no approved walkway currently existed in that location. He stated that the walkway would be approximately five feet wide and 30 feet long, with plantings between the walkway and the house. He also described a smaller bluestone connection to a side garage door. Finally, he explained that cobblestone would be laid flat around the perimeter to contain gravel and that p-stone would be placed over the existing gravel for a finished appearance.

Coordinator Capone explained that the remaining issue concerned the proposed retaining wall, which was located within the town right-of-way. She stated that the Department of Public Works (DPW) would need to review the proposal and authorize installation of the stone wall. She noted that, as shown on the plan, the retaining wall area lay outside the approved erosion controls, and therefore the erosion controls would need to be modified to contain any work associated with the wall if it were permitted.

Coordinator Capone stated that the applicant wished to proceed with work promptly. She noted that site-wide invasive species removal had been required as mitigation for the increased footprint, but that the area adjacent to

the retaining wall had not been included because it lay outside the property line. She observed that invasive vegetation extended up to the right side of the retaining wall and stated that she would require the applicant to remove and properly manage those invasives as part of the work, noting that removal would likely be necessary regardless to complete construction.

Coordinator Capone stated that, aside from these issues, the site was in good condition and in compliance with the Order of Conditions. She noted that Japanese knotweed continued to appear near the construction trailer and asked Mr. Anderson to devote additional attention to controlling it. She stated that other invasives had been removed. She also noted that a number of plantings and meadow areas were proposed as part of the project, but that none of that work had yet been completed, and she anticipated it would occur in the spring.

Chair Henkels invited questions from the Commission.

He then asked Coordinator Capone to restate what work could proceed prior to receiving approval from the DPW. Coordinator Capone responded that all cobblestone work could proceed except for the portion within the right-of-way. She stated that work around the garage, along the driveway, and the walkway could move forward. She indicated that she did not believe the DPW had concerns about the cobblestone at the roadway and that the primary outstanding issue was the retaining wall. She stated that the Commission could approve the work contingent upon receipt of DPW approval, provided the Commission was satisfied that the work would not alter wetlands.

Chair Henkels asked whether an amendment to the Order of Conditions would be required. Coordinator Capone responded that an amendment would only be necessary if the Commission determined that the scope of work rose to that level; otherwise, no amended Order of Conditions would be required.

Comm. Sevier asked questions regarding the retaining wall and the cobblestones proposed at the street, including how the cobbles would be sloped or pitched and the direction of water flow. Mr. Anderson explained that runoff currently flowed down the street and into a rut in the driveway. He stated that the intent of the cobblestone apron was to create a subtle elevation that would keep roadway runoff from entering the driveway and instead direct it toward an existing culvert. He noted that the cobblestones would be installed over gravel rather than a solid surface, allowing water movement while maintaining the berm's shape.

Mr. Anderson stated that the cobblestones would be set far enough back from the roadway to avoid damage from snowplows and that, even if contacted, properly installed cobblestones would remain stable. He explained that the cobblestones would maintain elevation to preserve the swale function and prevent flooding of the yard from roadway runoff. Comm. Sevier expressed concern about plow damage and vehicle traffic, noting personal experience with cobblestones being displaced. Mr. Anderson responded that he had used cobblestone aprons successfully on other projects and that durability depended on proper installation and location.

Comm. Sevier asked whether there was a bituminous ridge along the edge of the road and discussed how pooling and flow were currently occurring. Mr. Anderson stated that the roadway sloped toward a nearby drain, but because the driveway entrance was lower, water funneled into it. He explained that slightly raising the driveway entrance would maintain positive flow along the roadway rather than into the driveway. He estimated that an elevation change of approximately four to five inches would significantly reduce runoff intrusion while still allowing vehicle access.

Comm. Sevier asked whether long vehicles would be accessing the garage and expressed concern that a rise could be problematic for longer vehicles. Mr. Anderson responded that the property owner had a recreational vehicle and stated that the final grading would be adjusted to accommodate that vehicle.

Comm. Porter stated that he did not fully understand the terminology being used but asked whether the proposal was essentially creating a berm. Mr. Anderson responded that there had previously been asphalt in that area, but it had flattened over time. He stated that if a berm had existed previously, it was no longer visible and effectively did not exist.

Comm. Sevier clarified that the concept was to create a feature that would allow water to continue flowing down the road rather than entering the driveway. Comm. Porter agreed with that understanding and asked what would define the berm height. Mr. Anderson responded that the height would be determined by establishing grades using a laser to identify the elevation of the road and then building the feature high enough to keep water flowing past

the driveway entrance. He stated that this would be done while ensuring that vehicles, including the recreational vehicle, could still access the driveway. He estimated that the elevation change would likely be approximately four inches above the level where water was currently passing along the edge of the road.

Chair Henkels then invited Mr. Huss to speak. Mr. Huss stated that the last time the Town repaved the road, an asphalt berm had been installed, but over the past few years it had flattened. He stated that once it flattened, flooding began to occur, with water running down the driveway and occasionally into the garage.

Chair Henkels then asked whether there were any further questions from the Commission or the audience.

Chair Henkels noted that this would include work related to the garage and the walkway and asked Coordinator Capone to confirm. Coordinator Capone stated that the two options were to wait for a decision from the DPW or to vote that evening to allow work to proceed contingent upon DPW approval of the cobblestone and retaining wall. Chair Henkels stated that he did not have an issue with allowing work to continue contingent upon receiving DPW approval and without requiring an amendment. He asked the Commissioners for their opinions.

Comm. Sevier stated that he agreed with that approach. Comm. Cook also stated that he agreed.

On motion by Comm. Sevier to approve the minor modification, contingent upon DPW approval of work in the ROW, seconded by Comm. Cook, via roll call the vote was unanimous in the affirmative.

Enforcement Order Update:

73 Wayside Inn Road: Parking Lot Restoration

Coordinator Capone stated that she had not heard anything further from Wayside Inn. She said she had intended to visit the site that day but was unable to do so. She presumed that work had not commenced, given the weather conditions. She noted that she had hoped for a brief break in the cold weather but did not believe there had been sufficient time to complete the work. Chair Henkels stated that the matter would be continued to the next meeting.

Adjourn:

With no further business, on motion by Comm. Porter to adjourn the meeting at 7:46 PM, seconded by Comm. Sevier, via roll call the vote was unanimous in the affirmative.