



SOUDBURY CONSERVATION COMMISSION MINUTES

Meeting Minutes of Monday, April 27, 2026

Present: David Henkels, Chair; Ken Holtz, Vice Chair; Bruce Porter (9:18 PM); Kasey Rogers; Mark Sevier; Harry Hoffman, Associate Member; Victor Sulkowski, Associate Member; and Lori Capone, Conservation Coordinator

Absent: Jeremy Cook; Luke Faust

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

Minutes

March 23, 2026

On motion by Comm. Sevier to accept the minutes of the March 23 meeting, seconded by Comm. Rogers, via roll call the vote was unanimous in the affirmative.

Other Business:

Sudbury Historic and Archeological Stewardship Working Group

Chair Henkels opened the discussion with the Sudbury Historic and Archaeological Stewardship Working Group regarding the Carding Mill property.

Chris Hagger, Chair of the Historical Commission, introduced himself and explained that the stewardship working group originated from recommendations in the 2021 Sudbury Master Plan and the 2022 community-wide Historic Preservation Plan. He stated that the Historical Commission and the Historic District Commission had formed the working group to better coordinate preservation and protection of Sudbury's historic, archaeological, natural, agricultural, and cultural landscapes. He explained that one of the goals of the group was to involve other boards, including the Conservation Commission, in collaborative discussions regarding conservation and preservation efforts throughout Town.

Mr. Hagger stated that the Carding Mill property had been selected as an initial discussion topic because it is a historic structure located within a historic district and situated on conservation land. He noted that the Commissions had recently conducted a joint site visit to the property with Coordinator Capone, and wanted to continue discussion regarding both the building and surrounding land. He added that the group was also interested in identifying additional opportunities for collaboration on future projects and initiatives.

Taryn Trexler explained that the stewardship effort also stemmed from the Historical Commission and Historic District Commission becoming a certified local government through the Massachusetts Historical Commission. She stated that this designation allows the Town to pursue certain state preservation grants and encourages coordination among groups involved in preservation and conservation efforts.

Mr. Hagger added that the certified local government designation creates opportunities for future funding support and stated that the purpose of the discussion was both to introduce the collaborative effort and to begin discussing the future of the Carding Mill property specifically.

Chair Henkels asked whether there were any specific objectives or ideas the group wished to present to the Commission, noting that broader planning efforts, including the Open Space and Recreation Plan, were also underway involving multiple departments and volunteers. He requested clarification regarding short-term goals or anticipated actions.

Mr. Hagger responded that one immediate opportunity for collaboration could involve Community Preservation Committee funding for restoration work associated with the Carding Mill building or the historic dam. He stated that both the Historical Commission and Historic District Commission would strongly support Conservation

Commission applications for such funding and would advocate for those efforts both before the CPC and at Town Meeting if necessary.

Ms. Trexler explained that the Carding Mill property falls within the Wayside Inn Historic District and stated that the Historic District Commission has jurisdiction over exterior changes visible from public ways. She indicated that because the pathway to the site is Town-owned and publicly accessible, the Historic District Commission would likely have an interest in any future rehabilitation or exterior work associated with the mill building.

Chair Henkels stated that he supported collaboration among the various Commissions on projects. He referenced potential CPC funding, grant opportunities, and future discussions regarding the dam, the Carding Mill building, and the property as a whole. He thanked the representatives for initiating the conversation and stated that the Commission appreciated being included early in the process. He explained that additional discussions could help define future objectives, funding opportunities, and possible partnerships as planning efforts progressed alongside the Master Plan and Open Space and Recreation Plan.

Mr. Hagger agreed and noted that the property had historically been rented when it was under private ownership. He stated that, from the Historical Commission's perspective, restoring the dam and building and reestablishing an occupied use for the structure would help protect the site from deterioration and vandalism. He referenced the building's historic significance, including its association with Henry Ford, and stated that future uses such as storage or leasing opportunities had previously been discussed with entities including the Wayside Inn.

William Andreas commented that concerns regarding security extended beyond the Carding Mill property and applied to multiple Town-owned properties. He stated that vandalism had occurred at several locations and suggested that the Town consider incorporating security measures for open space properties into the Open Space Plan, potentially including cameras or other monitoring systems.

Chair Henkels responded that Town assets should be protected from vandalism and asked Coordinator Capone whether there were any immediate measures that could be explored to improve security at the Carding Mill property, particularly the building itself.

Coordinator Capone stated that she could discuss the matter with the Town's Facilities Director to determine whether additional security measures could be implemented. She noted that lighting had already been installed at the site for nighttime security purposes. She explained that the installation of cameras on public land could involve privacy considerations and would likely require coordination with the Town Manager's Office, Facilities staff, and the Police Department before any recommendations could be made.

Comm. Sevier stated that building management and security were not typically within the Conservation Commission's normal purview and expressed uncertainty regarding the overall purpose and direction of the discussion. He explained that the Commission generally responded to applications involving conservation-related matters rather than originating projects involving buildings or historic structures. He stated that he would support discussions involving conservation-related issues associated with the mill pond, the dam, or projects requiring Commission review, but emphasized that he was unclear what specific action or issue was currently being requested of the Commission.

Coordinator Capone responded that the Carding Mill property was somewhat unique because the Conservation Commission owned both the land and the building, making it one of the few structures directly managed by the Commission.

Mr. Hagger stated that it had been his understanding that most Town-owned historic buildings typically fell under the purview of either the Historical Commission or the Historic District Commission, but that the Carding Mill property was different because the Conservation Commission controlled both the building and the land.

Comm. Sevier stated that he had served on the Commission for approximately 13 years and had not previously been aware that the Commission owned the building. He questioned whether it might make sense for ownership of the structure to be transferred to the Historical Commission, noting that if the arrangement was an anomaly, it may be more appropriate for the building to be managed by a commission more directly focused on historic resources.

Chair Henkels suggested that the topic could be discussed further at another time, noting the significant agenda still before the Commission that evening. He asked that the Historic and Archaeological Stewardship Working

Group continue to keep the Commission informed as priorities and concepts were developed for properties involving conservation interests. He stated that the information presented that evening was helpful as an initial starting point for future discussions.

Mr. Hagger responded that any discussion regarding transfer of ownership would likely need to originate with the Conservation Commission and the Town, since the Historical Commission did not currently have any ownership interest in the building. Chair Henkels stated that the discussion should remain focused on the current topic before the Commission.

Michael Wallace introduced himself as a member of the Historical Commission and commented that it would be helpful for the Historical Commission and Historic District Commission to better understand the Conservation Commission's plans for the Carding Mill property as they considered future planning efforts related to the building. He stated that collaboration among the commissions could help integrate the conservation of both the land and the historic structure, creating a more coordinated long-term outcome. He asked whether draft materials related to the Open Space and Recreation Plan could eventually be shared with the other commissions.

Chair Henkels stated that the goal was to have a draft of the Open Space and Recreation Plan prepared by approximately October.

Coordinator Capone stated that a public forum would be announced soon, likely to take place in June, to solicit public input regarding goals and priorities for the Open Space and Recreation Plan. She explained that the project remained in its very early stages, with only a survey completed thus far, and encouraged participation from the public and other commissions as the planning process moved forward.

Mr. Hagger added that if the Town's Facilities staff planned to undertake any work on the Carding Mill building, he hoped the Historical Commission and Historic District Commission could be informed so they could provide input and support, particularly for any future CPC funding requests. He stated that the Historical Commission had discussed the possibility of restoring the building in a way that could allow limited public access so residents could appreciate both the building and its setting. He acknowledged that such decisions would ultimately remain under the control of the Conservation Commission but stated that the Historical Commission would look favorably upon that type of future use.

Chair Henkels stated that the commissions should continue sharing information and maintaining discussions as planning efforts moved forward, noting that the next six months would be particularly important for the process.

Coordinator Capone stated that, while the discussion was ongoing, she had located the date for the upcoming public forum related to the Open Space and Recreation Plan and announced that it was scheduled for May 28 at 7:00 p.m.

Chair Henkels asked whether there were any additional comments from the participants.

Mr. Andreas stated that he had one additional item to mention, primarily as a notice to Coordinator Capone. He explained that the Historical Commission had commissioned an archaeological survey of the Town and was preparing to finalize the contract for the work. He noted that much of the survey work would occur on conservation land because those properties could be accessed without obtaining permission from private landowners. He further explained that the results of the archaeological survey would be restricted under Massachusetts law regarding who could access the information and stated that Coordinator Capone would likely be the Conservation Commission representative who would receive any maps or related documentation identifying sensitive archaeological locations.

Coordinator Capone asked whether the survey work would involve any excavation or digging activities. Mr. Andreas responded that the work would not involve excavation and explained that much of the research relied on fieldwork and data collected approximately 50 years earlier, which the Historical Commission was now obtaining from the Massachusetts Historical Commission. He stated that only limited field walking was anticipated, with Walker Farm likely being one of the primary locations for additional review because the archaeologist leading the effort had grown up near the property and had a personal familiarity with the area.

Mr. Andreas further commented that a significant Native American artifact had reportedly been discovered at Walker Farm by a Cub Scout approximately 20 years earlier. He stated that the discovery was considered highly

important and had elevated Sudbury's significance in the context of Native American archaeological sites in New England.

Chair Henkels thanked the representatives from the Historical Commission and Historic District Commission for attending the meeting and sharing their thoughts and information regarding future collaboration efforts. He stated that coordination among the three commissions would likely evolve over time and expressed support for continuing discussions regarding the Carding Mill property and related historic preservation and conservation efforts.

1 Liberty Ledge (Camp Sewataro), DEP #301-1366:

Chair Henkels opened the discussion to install aeration and biofiltration with associated electrical service for the swim pond.

Emmy Niinimäki, one of the Directors of Camp Sewataro, presented the proposal to install improved aeration and a biofiltration system with associated electrical service at the camp property located at 1 Liberty Ledge. She explained that Camp Sewataro operates under contract with the Town and is responsible for maintaining the property, including two ponds, one used for swimming and the other for boating and fishing. She stated that the swim pond is heavily used by approximately 650 campers twice daily, and the camp takes its responsibilities for water quality, health, safety, ecological management, and compliance with the Order of Conditions seriously.

She explained that the camp had made progress in recent years reducing pond closures related to cyanobacteria, decreasing closures from several weeks to only two days during the previous summer. She stated that the camp had become more effective at quickly responding to cyanobacteria blooms before they became highly toxic. However, she noted that the current management approach remained reactive rather than preventative. During the previous summer, the camp experienced significant non-toxic green algae blooms that negatively affected water clarity and required extensive manual removal each morning.

She stated that the camp sought a more sustainable, preventative approach and had consulted with John Tucci of Everblue Lakes. She explained that the consultant described the pond as being trapped in a cycle where treatment of one algae problem simply allowed another to emerge, because the underlying ecological imbalance remained unresolved. She stated that the swim pond differed from a natural pond because it had concrete sides and a sand bottom with very limited aquatic vegetation, resulting in insufficient surface area for beneficial bacteria to grow. Without healthy bacterial competition, algae growth dominated the system. She further explained that the pond had become more stagnant after the camp previously separated the swim pond from the fish pond to improve management, which reduced water circulation and further encouraged algae growth.

She stated that the camp's goals were to reduce dependence on chemicals, improve the natural ecological balance of the pond, and maintain swimmer safety. She explained that the proposed solution involved a combination of enhanced aeration, biological filtration, and filter grass media intended to improve circulation, oxygenation, and biological activity within the pond.

She explained that the swim pond currently had two aerators installed in 2022, but Everblue Lakes recommended installing four larger aerators capable of turning over the entire pond volume approximately every three hours. She stated that this level of turnover was consistent with natural swimming pool standards and would help create conditions less favorable for algae growth.

She further explained that the proposed biofiltration system would consist of a 1,000-gallon tank through which pond water would be pumped and filtered through high-surface-area media similar to steel wool or aquarium filtration systems. She stated that the media would support beneficial bacteria growth, which would consume excess nutrients that currently fueled algae blooms. The filtered water would then be returned directly to the swim pond.

She presented a site plan showing the proposed locations of the aerators, biofilter, and associated compressor. She explained that installation of the system required electrical service to an area of the property that currently lacked power. She noted that the camp had previously installed underground conduit during earlier parking area work, which could now be utilized. She described the proposed trenching route for the new electrical line, explaining that it would primarily follow the sandy beach area to minimize impacts to vegetation and resource areas. The line

would extend to an existing pavilion structure known as the Waterfront Terrace, where a new electrical panel would be installed, before continuing to the pond equipment area.

She stated that the work would be completed with minimal disruption and in coordination with Coordinator Capone to ensure protection of the water body. She also described the proposed installation of submerged filter grass media intended to replicate the biological functions of aquatic vegetation by creating additional surface area for beneficial bacteria growth.

She stated that the proposal aligned with prior discussions with the Commission regarding reducing reliance on chemical treatments and exploring filtration alternatives. She explained that the system was not expected to eliminate chemical treatments immediately, but rather to progressively reduce dependence on them over time while improving overall pond stability and water quality. She requested feedback from the Commission and expressed hope that approval could be obtained promptly so installation could occur before the upcoming camp season.

Coordinator Capone stated that Ms. Niinimaki had done a thorough job explaining the proposal. She explained that most components of the proposal were already consistent with the existing Order of Conditions, including the aeration system and previously approved biological systems similar to the proposed filter grasses. She noted that the only entirely new component was the biofiltration system, which would create additional impacts within the adjacent Buffer Zone to the pond.

She explained that the Commission would need to determine whether the impacts associated with the biofiltration system were substantial enough to require an amendment to the Order of Conditions or whether they were minor enough to proceed through a minor modification process. She stated that the shoreline work associated with the system would primarily involve installation of cement blocks and stone to create a level pad for the tank, in addition to the electrical work previously described by Ms. Niinimaki.

She stated that she believed an acceptable location could be identified that would avoid impacts to adjacent vegetation other than existing grass. She expressed support for the proposal and thanked Emmy Niinimaki for continuing to investigate filtration alternatives, noting that the proposal aligned with the Commission's previous discussions regarding filtration deficiencies within the pond system.

She requested that water quality monitoring continue in both the swimming pond and fishing pond. She expressed concern that concentrating aeration and filtration efforts within the swimming pond, while maintaining separation between the two ponds, could potentially create unintended negative impacts on the fishing pond. She requested that the Commission retain the ability to continue evaluating conditions within the fishing pond and revisit the system in the future if negative impacts became apparent.

Comm. Holtz asked for clarification regarding the proposed filter grass system and whether it would be installed within the stream feeding the pond. Emmy Niinimaki clarified that the filter grass would instead be installed within the pond itself, attached to the concrete sidewalls in an area outside the designated swimming area. Comm. Holtz also asked whether the camp intended to continue operating the swimming pond and fishing pond as separate systems. Ms. Niinimaki stated that the current plan was to continue treating the ponds separately while evaluating the effectiveness of the proposed system. She explained that the long-term goal could involve reconnecting the systems and filtering water transferred from the fishing pond into the swimming pond, although any such proposal would require future review by the Commission.

Ms. Niinimaki explained that the natural spring feeding the pond system entered primarily through the fishing pond and acknowledged that off-site nutrient sources, including potential fertilizer use from nearby residential properties, could contribute to algae growth. However, she stated that those external sources were outside the camp's control.

Comm. Holtz asked whether the swimming pond had remained separated from the fishing pond throughout the previous season. Ms. Niinimaki confirmed that it had, explaining that the separation was necessary both because of treatment activities and because the two ponds were experiencing different water quality issues. She stated that the fishing pond had not experienced cyanobacteria blooms, and the camp wished to prevent cyanobacteria from spreading into that pond. She acknowledged that reduced water circulation resulting from the separation was an unfortunate consequence.

Comm. Holtz observed that reconnecting the two ponds in the future would likely require expansion of the proposed treatment systems. Ms. Niinimaki agreed that additional capacity would likely be necessary if both ponds were eventually managed together. Comm. Holtz also asked why the biofiltration system could not be located within the existing pool shed. Ms. Niinimaki explained that the equipment was too large to fit within the structure and required placement elsewhere on the property.

Comm. Sevier asked whether the proposed biofiltration system would involve intake and discharge piping connected directly to the pond. Ms. Niinimaki confirmed that the system would include both intake and output pipes connected to the pond.

Comm. Sevier then asked about the anticipated water turnover rate, observing that the pond represented a relatively large body of water. Mr. Tucci explained that the system would utilize a 1,000-gallon tank through which approximately 30 to 40 gallons per minute would continuously circulate.

Comm. Sevier observed that the proposed flow rate appeared relatively low given the size of the pond. Mr. Tucci acknowledged the flow rate but explained that the system was intentionally designed to balance effectiveness with energy consumption, noise reduction, and overall power requirements. He stated that the proposal avoided installation of a substantially larger pumping system that would consume significantly more electricity and create greater operational impacts.

Comm. Sevier asked approximately how many gallons the pond contained, and Ms. Niinimaki estimated the volume at roughly one million gallons. Comm. Sevier remarked that the proposed filtration rate initially seemed much lower than he had anticipated for a pond of that size and noted that he had envisioned a system involving substantially greater water turnover.

Mr. Tucci explained that the primary treatment mechanism relied on biological activity rather than sheer water movement. He stated that the intent was to create a miniature wetland system connected to the pond, generating aerobic wetland bacteria capable of biologically treating the water in a manner similar to natural wetland environments. He explained that the proposed system sought to replicate the ecological functions already occurring naturally within the fishing pond, where cyanobacteria problems had not developed and where natural aquatic vegetation and biological activity contributed to a more balanced ecosystem.

Mr. Tucci further explained that the biofiltration tank would serve both as a filtration system and as an incubator for beneficial bacteria, while the submerged filter grass would increase available surface area within the pond itself to support additional biofilm and biological growth. He stated that the goal was to expand natural biological filtration throughout the pond system rather than rely exclusively on mechanical filtration. Mr. Tucci stated that the system had been sized to provide biological surface area equivalent to more than one acre of natural wetland filtration, which he described as substantial relative to the size of the pond.

Comm. Sevier expressed support for the concept of using electrical energy and biological filtration as an alternative to continued reliance on chemical treatments. Mr. Tucci stated that the system was intentionally designed to be scalable, explaining that if the initial installation proved successful but required additional capacity, the pump could be upsized in the future. He reiterated that the current proposal attempted to minimize both energy usage and project costs while still providing meaningful biological filtration based on extrapolations from natural swimming pool and pond systems.

Comm. Sevier then asked whether the proposed aerators would circulate the entire pond sufficiently to distribute the filtered water throughout the system. Mr. Tucci confirmed that the aerators were designed to turn over the full pond volume approximately every three hours. He explained that the discharge hose from the filtration system would be located near one of the aerators so that filtered water would immediately enter the circulation pattern and disperse throughout the pond.

Assoc. Comm. Sulkowski stated that he supported the proposal and suggested that the Commission consider modifying the existing Order of Conditions rather than requiring an entirely new filing. He also recommended that the camp contact the Hop Brook Protection Association, a local nonprofit organization involved in pond and brook restoration efforts within Sudbury. He explained that the organization had experimented with a variety of mechanical and chemical treatment methods over several years and had received Community Preservation Committee funding support. He noted that conditions at Stearns Mill Pond appeared to have improved and suggested that the organization's experience could provide useful guidance and collaboration opportunities.

Harry Hoffman asked whether any sampling data existed regarding nutrient inflows into the pond system. Emmy Niinimaki stated that Camp Sewataro had previously conducted inflow testing but had not continued ongoing monitoring because of the expense. She explained that the testing had shown phosphorus and nitrogen levels that were elevated but not extreme, and noted that nutrient levels appeared to be higher during the spring than during the summer.

Chair Henkels summarized that the Commission's options were either to amend the existing Order of Conditions or approve the work as a minor modification to the current Order. He asked whether the Commission had any further questions before proceeding.

On motion by Comm. Holtz to approve the minor modification, seconded by Comm. Sevier, via roll call the vote was unanimous in the affirmative. Comm. Porter was not present for this vote.

Wetland Applications:

Request for Determination of Applicability: 20 Old Coach Road, RDA #26-05

Chair Henkels began the meeting for the project to regrade in association with septic system construction within the 100-foot Buffer Zone, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw. Christine Kozak was the applicant.

Mrs. Kozak stated that she and her family had lived at 20 Old Coach Road for nearly 24 years and described the property as having a backyard adjacent to Pantry Brook and nearby wetlands. She explained that their Title V system had failed and that the property had recently been sold, with the new owners set to receive a replacement septic system. She stated that the proposed work would involve additional grading due to an existing drop-off on the property and that eight native winterberry shrubs would be planted as part of the project. She stated that they hoped the future owners would enjoy the property as much as they had.

Stephen Poole of Lakeview Engineering explained that the proposal involved replacement of the failed septic system serving the existing four-bedroom home and that the replacement system would also be designed for four bedrooms, with no expansion proposed. He stated that the closest portion of the septic system would be approximately 105 to 106 feet from the wetlands, satisfying the Board of Health setback requirement of at least 100 feet.

Mr. Poole explained that the septic system would be installed beneath an existing crushed stone patio area. He stated that due to site elevations and Title V breakout requirements, the slope below the system would need to be extended slightly into the existing vegetated Buffer Zone area. He stated that the grading disturbance would total approximately 105 square feet.

He stated that discussions had occurred with the Board of Health regarding the possibility of moving the system farther from the resource area to reduce grading impacts. He explained that further excavation would be required to determine whether that adjustment was feasible. He stated that if the system could not be shifted farther away, the applicant proposed planting approximately seven or eight winterberry shrubs within the disturbed area to compensate for the vegetation removal.

Coordinator Capone stated that she was comfortable with the proposal. She explained that the slope area proposed for regrading was currently dominated by periwinkle, which she described as an invasive groundcover. She noted that the septic system itself would be installed within an existing lawn area and stated that the project would not create significant new impacts to the resource area.

Coordinator Capone recommended issuance of a Negative Determination of Applicability with conditions requiring a site meeting with the installer after erosion controls were installed, submission of photo documentation once the disturbed area was stabilized, and installation of native shrubs at the base of the slope.

Chair Henkels asked whether the Commissioners or members of the public had any additional questions or comments.

On motion by Comm. Sevier to issue a Negative Determination of Applicability #3, seconded by Comm. Rogers, via roll call the vote was unanimous in the affirmative. Comm. Porter was not present for this vote.

Notice of Intent: 578 Peakham Road, DEP #301-1466

Chair Henkels opened the Hearing for the project to construct a retaining wall, remove invasive plants, install native plants, and remove tree stumps within the 100-foot Buffer Zone and the local 200-foot Riverfront Area, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw. Art and Mara Huston were the applicants.

Chair Henkels raised a question regarding whether he should recuse himself from the discussion due to knowing Mrs. Huston outside of the Commission in a different context. Coordinator Capone stated that a recusal was not required because there did not appear to be any fiduciary or financial benefit associated with the matter. Comm. Holtz asked for clarification regarding the basis for possible recusal. Mrs. Huston commented that she did not believe Chair Henkels would receive any financial benefit from the discussion.

Chair Henkels asked whether Comm. Holtz could instead run the Hearing. Comm. Henkels would participate as a Commission to satisfy the need for a quorum. Coordinator Capone agreed that approach would be appropriate.

Comm. Holtz asked the applicants to introduce themselves and explain the proposed project. Mrs. Huston introduced herself and Art Huston and stated that they lived at 578 Peakham Road and had owned the property for more than 30 years. She stated that they had been considering the proposed project for many years and were pleased to finally move forward with it.

Mrs. Huston described the existing backyard as consisting of a level lawn area extending approximately 38 feet behind the house, with the septic system located within that area. She explained that the remaining backyard sloped steeply downward and had become overgrown with invasive vegetation, including wild raspberries, Tree of Heaven, wild rose, and garlic mustard.

Mrs. Huston stated that she regularly removed garlic mustard from the property and noted that neighboring septic work had previously required removal of pine trees near the property line. She explained that because isolated pine trees can become hazardous after surrounding trees are removed, they had also removed additional pine trees from their property. She stated that the project would include grinding the remaining stumps to allow replanting.

Mrs. Huston explained that the proposal included construction of an approximately four-foot-high retaining wall located roughly 15 feet behind the level lawn area and extending approximately 75 feet across the width of the property. She stated that the area behind the retaining wall would be regraded to create a more stable slope and that invasive Tree of Heaven stumps within the lower slope area would also be removed.

Mrs. Huston stated that the regraded areas would be replanted using native species selected from a list previously provided by Coordinator Capone. She explained that the proposed planting plan had been included within the project narrative and identified several photographs showing existing site conditions, including the overgrown slope, tree stumps, and areas where neighboring septic work had occurred.

Mrs. Huston also presented a rendering of the proposed retaining wall prepared by Kyle Palmblad, who was assisting with the project. She described the wall materials and the soil stabilization system that would be used to tie the retaining wall into the existing slope.

Comm. Holtz asked for comments from the Commission.

Comm. Sevier asked about the height of a proposed wall and whether it would require a fence. Mrs. Huston responded that the wall would be approximately four feet and that they were not planning to install a fence, stating that they intended to use plantings instead. Comm. Sevier referenced building code requirements related to drops greater than 30 inches and asked for clarification. Mr. Palmblad stated that for typical conditions a railing requirement applied to decks or similar walking areas at around 30 inches, but indicated that landscape walls could be treated differently and that plantings could function as a buffer depending on species and placement.

Comm. Sevier asked whether the Hustons planned hedge-type plantings. They responded that fencing was not included in their plan and that they intended to use shrubs and other plantings, noting that the design was not fully detailed in that respect. They stated that if protection from falling became necessary in the future, a fence could be considered later. They described using a variety of native shrubs and stated that plantings would be kept generally

under about five feet to preserve views toward the backwoods area. They also stated that the planting list was included in the submitted packet. Comm. Sevier acknowledged the explanation and indicated agreement.

Comm. Holtz asked whether there were additional comments. Comm. Holtz asked whether any public comments were present. Comm. Holtz stated no public comments were observed and requested a motion.

Coordinator Capone stated that there were no issues outside the scope of the request. She suggested that a condition could be added allowing for a future fence to address potential Building Department requirements at the edge of the retaining wall. She also stated that if any invasive species were introduced to the site, they would need to be removed, and that equipment entering the site should be clean. She stated that excavated material should be disposed of at an appropriate facility and not relocated to other sites. She stated that erosion controls should be installed and that staff should be contacted for a site visit prior to project initiation to review logistics.

Mrs. Huston discussed control of Tree of Heaven and stated that a method described by a neighbor involved cutting the tree, drilling a three-quarter inch hole into the stump, and filling it with table salt. Comm. Holtz stated that this was preferable to Roundup.

Comm. Holtz asked whether any Commission members opposed adding a condition allowing for a future fence. Comm. Sevier stated that the allowance was not necessary but that he would not object, noting the four-foot drop and stating it was not critical because the fence would not be used immediately. Chair Henkels stated agreement with Comm. Sevier. Chair Henkels stated that consultation with the Building Department might otherwise be needed but that including the allowance would address the issue.

On motion by Comm. Sevier to close the Hearing, seconded by Comm. Henkels, via roll call the vote was unanimous in the affirmative. Comm. Porter was not present for this vote.

On motion by Comm. Henkels to issue the Order of Conditions, seconded by Comm. Rogers, via roll call the vote was unanimous in the affirmative. Comm. Porter was not present for this vote.

Request for Determination of Applicability, 38 Lands End Lane, RDA #26-06

Chair Henkels began the meeting for the project to excavate soil test pits within the 100-foot Buffer Zone, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw. Andrew Glynn was the applicant.

Alek Chongris of Chongris Engineering presented the proposal and shared plans for the site. He stated that the project was in a preliminary stage and involved evaluating the feasibility of a future addition. He explained that the immediate purpose of the filing was to conduct soil testing to determine site conditions. He stated that the property was constrained by surrounding resource areas and identified the wetland location on the plan. He explained that two to four test pits were proposed beyond the 50-foot Buffer Zone, generally within the 75- to 100-foot Buffer Zone, in an existing lawn area. He stated that all test pits would be filled by the end of the day and invited questions.

Coordinator Capone stated that much of the area shown on the plan consisted of wetlands. She explained that the test pits were intended to support evaluation of a future addition, as described by Mr. Chongris. She stated that she had no concerns regarding the proposed test pits themselves but advised that the Commission might or might not approve future additions because the site was already constrained. Mr. Chongris acknowledged the comment.

Coordinator Capone stated that the test pits should not impact the resource area. She noted that trees had previously been removed from the front yard by a prior owner and that fencing had been installed around the backyard and in the front yard. She stated that she had no record of those activities being permitted and wanted to bring them to the Commission's attention. She stated that the work appeared to be located just outside the wetlands but wanted the Commission to be aware of it.

Chair Henkels thanked Coordinator Capone and requested questions from the Commission.

Comm. Holtz asked whether the previously referenced work was located within the Buffer Zone. Mr. Chongris responded that it was within the Buffer Zone, and Coordinator Capone confirmed that understanding.

Mr. Chongris pointed out the edge of the lawn area on the plan and stated that the applicants would return before the Commission in the future. He noted that he would not be representing the applicant during future conservation review but expected the Commission would see the project again.

Comm. Sevier asked how a future addition would relate to the proposed test area and the existing house. Mr. Chongris explained that the test pits were intended for septic system evaluation rather than for the addition itself. He stated that the purpose was to determine soil conditions and that all other project elements remained in the planning stage. Comm. Sevier asked whether the future addition would generally fit within that footprint or represent a substantial change to the house. Mr. Chongris stated that he had not yet reviewed a complete architectural plan set and that no proposed addition location was available for discussion. He stated that any future design would likely seek to maximize distance from the resource areas.

Chair Henkels requested further questions from the Commission and then invited comments from the public.

Coordinator Capone asked whether erosion controls would be installed. Mr. Chongris stated that installation would depend on the Commission's preference. He explained that the work would occur within an established lawn area and that approximately 50 feet of sheet flow separated the work area from the tree line. He stated that erosion impacts would be minimal but that erosion controls could be installed if requested.

Coordinator Capone stated that the site was generally flat and that, given the same-day excavation and backfilling schedule, she did not believe erosion controls were necessary. She stated that she would like to meet on site before work commenced to review the exact test pit locations because the proposed locations were not yet fully defined. She also stated that the property owners would need to provide photo documentation showing that disturbed areas had been stabilized with seed and grass following completion of the work.

Mr. Chongris asked whether the site meeting should occur on the same day as the Board of Health inspection or separately. Coordinator Capone responded that the scheduling could be coordinated, to which Mr. Chongris agreed.

William Pimentel introduced himself as a resident of 33 Landham Lane located across the street from the property. He stated that he had recently received the certified mailing and was seeking information about the process. He asked whether abutters would continue receiving notifications regarding future stages of the project. Chair Henkels responded that notification would be provided for future filings.

Mr. Pimentel stated that he was concerned about wildlife in the area and noted that wetlands, wildlife, and his own property were nearby. He stated that he wanted to understand how the project would proceed and wished to remain informed about future developments.

On motion by Comm. Rogers to issue a Negative Determination of Applicability #3, seconded by Comm. Sevier, via roll call the vote was unanimous in the affirmative. Comm. Porter was not present for this vote.

Notice of Intent: 200 Raymond Road (Feeley Field), DEP #301-1460

Chair Henkels resumed the Hearing for the project to reconstruct softball fields and install an irrigation system and subsurface stormwater infrastructure, ADA walkway, dugout, and bleachers within the 100-foot Buffer Zone and 200-foot Riverfront Area, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw. Victor Garofalo was the applicant. This Hearing was continued from March 23, 2026.

On motion by Comm. Sevier to continue the Hearing to May 11, 2026, seconded by Comm. Rogers, via roll call the vote was unanimous in the affirmative. Comm. Porter was not present for this vote.

Notice of Intent: 33 Douglas Drive, DEP #301-1465

Chair Henkels resumed the Hearing for the project to construct an addition, porch, and deck, relocate the shed, and replace a septic system within the 100-foot Buffer Zone, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw. Joao Bitencourt was the applicant. This Hearing was continued from April 6, 2026.

Daniel Carr of Stamski and McNary described revisions made since the previous hearing in response to discussions regarding the Conservation Restriction on the property. He stated that the proposed deck, pool, and garden located within the Conservation Restriction would be removed. He stated that a portion of the gravel driveway located within the Conservation Restriction would also be removed. He explained that the proposal included planting seven trees and sixty-four shrubs within the Conservation Restriction to reestablish vegetation. He stated that permanent markers would be installed along the edge of the Conservation Restriction, identifying five markers on one side and one marker in another location. He explained that the markers would permanently identify the Conservation Restriction boundary.

Mr. Carr stated that a shed located near the proposed septic system had previously been proposed for relocation to meet setback requirements but was now proposed for complete removal. He stated that a roof drywell was proposed to capture runoff from approximately half of the house roof and infiltrate stormwater through the 100-year storm event. He also described proposed shrub plantings between the house and the wetland on the south side of the property. He stated that these plantings would serve as a boundary to discourage future encroachment toward the wetland. He identified proposed species including red maple, blueberry, winterberry, and dogwood. He stated that those changes summarized the revised proposal.

Chair Henkels thanked Mr. Carr and requested comments from Coordinator Capone. Coordinator Capone stated that the revised plan represented significant progress from the previous meeting and acknowledged the effort invested in the revisions. She stated that the Conservation Restriction boundary was unusual and noted that a portion of the driveway would remain within the Conservation Restriction. Based on aerial imagery, she stated that the driveway appeared to have historically occupied that location. She explained that the property only connected to the right-of-way at one location on the opposite side of the house and that relocating the driveway completely outside the Conservation Restriction would require routing it through the front yard to access the garage. She stated that she was comfortable with the driveway remaining in its proposed location.

Coordinator Capone asked about the reserve septic area shown within the front yard. She noted that if the reserve system were ever constructed in the location shown, it would fall within the Conservation Restriction and would not be allowed. She asked whether additional portions of the driveway could be removed from the Conservation Restriction if the reserve system were relocated. Mr. Carr stated that the driveway had already been shifted as much as practical to reduce its presence within the Conservation Restriction. He explained that the reserve septic area could be relocated outside the Conservation Restriction if necessary. He stated that its current location was dictated by an existing water service line, which required a ten-foot setback from septic components. He explained that if the reserve system were ever constructed, the water service could be relocated to accommodate the change. He stated that in his experience he had never seen a reserve septic system actually constructed, but acknowledged that relocating it outside the Conservation Restriction was feasible.

Coordinator Capone stated that, regardless of the likelihood of construction, a condition should specify that the reserve septic system could not be constructed within the Conservation Restriction. Mr. Carr agreed and stated that he understood the concern. Coordinator Capone then asked whether relocating the reserve system would allow additional driveway reduction within the Conservation Restriction. Mr. Carr responded that it would not significantly change the driveway configuration.

Coordinator Capone stated that approximately forty linear feet of driveway would remain within the Conservation Restriction and recommended a condition requiring it to remain a gravel driveway. She explained that paving the driveway in the future would create a more substantial structure within the Conservation Restriction. She then asked for the square footage of the area proposed for restoration to verify that the proposed plantings were sufficient.

Mr. Carr initially discussed the area of driveway removal and estimated it at approximately 3,400 square feet. Coordinator Capone clarified that she was seeking the total restoration area, including the pool, deck, and associated features. Mr. Carr responded that the total restoration area was approximately 5,300 square feet.

Coordinator Capone stated that the planting calculations should be reviewed to confirm that the proposed trees and shrubs adequately covered the restoration area. She asked whether a seed mix would also be used. Mr. Carr confirmed that it would. Coordinator Capone stated that the restored area should return to a natural condition rather than function as a landscaped bed with mulch and ornamental treatments. Mr. Carr agreed.

Coordinator Capone then discussed the portion of the Conservation Restriction located within the front yard. She noted that the area was proposed to remain lawn and suggested that additional plantings be considered because it would no longer function as driveway area. She also recommended additional boundary markers because that portion of the conservation restriction currently lacked physical demarcation. She noted that a fence was located within the right-of-way and referenced a plan note indicating that a portion of the fence would be relocated to accommodate the driveway. Coordinator Capone stated that she had discussed with the homeowner whether the fence could remain within the right-of-way or would need to be relocated onto the property. Mr. Carr stated that he had not participated in discussions regarding the fence. Coordinator Capone stated that if relocation became necessary, positioning the fence along the conservation restriction boundary could provide an additional boundary marker in the front yard.

Coordinator Capone asked whether test pits had been performed specifically for the stormwater system or whether the septic test pits had been used. Mr. Carr confirmed that the septic test pits had been used. Coordinator Capone stated that the design plans appeared to show the bottom of the stormwater system at approximately the same elevation as the estimated seasonal high groundwater level and requested confirmation. Mr. Carr responded that no groundwater had been encountered during testing and that sandy soils extended beyond ten feet in depth. Coordinator Capone reiterated that the plan appeared to depict the bottom elevation of the stormwater system at the seasonal high groundwater level. Mr. Carr reviewed the plans and stated that the elevation shown was incorrect.

Coordinator Capone informed the Commission that a letter had been received from abutters following the previous meeting. She stated that the concerns raised regarding site modifications appeared to be addressed by the revised plan. She noted that one concern involved flooding on adjacent properties. Coordinator Capone stated that she would be surprised if the work on the property had caused the reported flooding and suggested that beaver activity in the area was a more likely explanation. She stated that those were all of her comments on the proposal.

Chair Henkels thanked Coordinator Capone and requested questions from the Commission.

Comm. Holtz referred to the stormwater infiltration chamber detail previously displayed and noted that Mr. Carr had identified an error on the plan. Comm. Holtz observed that the detail referenced pavement above the chambers and asked whether pavement was proposed in that area. Mr. Carr responded that no pavement was proposed and explained that the detail illustrated alternative installation conditions, including both paved and grassed surfaces.

Comm. Holtz asked whether an overflow system or pop-up emitter was proposed. Mr. Carr stated that an emergency overflow was included and would discharge to a riprap apron. Comm. Holtz asked whether the discharge location was within a grassed area. Mr. Carr confirmed that it was and stated that it would be located directly behind the house.

Comm. Holtz asked whether details had been developed for the Conservation Restriction boundary markers. Mr. Carr stated that he was seeking guidance from the Commission regarding preferred marker types. He suggested options including granite posts or FENO markers with placards. Chair Henkels asked Coordinator Capone for her preference based on past practice.

Coordinator Capone stated that she preferred FENO markers because they could be engraved to identify their purpose for future property owners. She stated that the Commission did not maintain a specific standard but required markers that were visible and readily identifiable so future landowners could recognize the extent of the Conservation Restriction and assist with monitoring. She stated that either granite posts or FENO markers could be acceptable and that identifying tags could be attached to either type.

Comm. Holtz stated that he supported the frequency of markers shown along the northern edge of the Conservation Restriction but noted that only one marker appeared on the western edge. He referenced Coordinator Capone's earlier suggestion regarding additional markers in the front yard and asked whether additional markers should also be installed along the western or southern portions of the Conservation Restriction.

Coordinator Capone stated that another marker could be added closer to the wetland area. She noted the existence of a second Conservation Restriction associated with a ten-foot Buffer Zone to the pond and stated that she was uncertain how it aligned with the plan. She suggested that a marker located near the top of the slope, rather than

directly at the wetland boundary, could be appropriate. She stated that approximately three markers in that area would be helpful. Mr. Carr agreed with the suggestion.

Comm. Holtz sought clarification regarding the alignment of the Conservation Restriction boundary and asked whether a natural feature such as a slope corresponded with the line shown on the plan. Coordinator Capone responded that the area beyond the slope was wetland. Comm. Holtz acknowledged the explanation and stated that the boundary configuration was difficult to interpret from the plans.

Chair Henkels asked whether any amendments to the Conservation Restriction itself would be required. Coordinator Capone stated that such a determination would ultimately be a question for Town Counsel. She explained that the Conservation Restriction prohibited structures and stated that her view was that the limited gravel driveway would not constitute a structure if it remained minimal and unpaved. She noted that the fence was located outside the Conservation Restriction and that questions regarding the fence were more appropriately related to the right-of-way. She stated that if all structures were removed from the Conservation Restriction and the area was restored to a natural condition, she did not believe an amendment would be required. She stated that she could seek a legal opinion if the Commission wished.

Chair Henkels stated that neither the homeowner nor the Commission would want to create future complications. He asked the Commission whether a legal opinion should be obtained or whether the proposed approach adequately addressed the Conservation Restriction requirements.

Comm. Holtz stated that he supported the proposed approach. He noted that structures would be removed, the driveway would remain gravel, and the proposal appeared logical. He stated that seeking a formal legal interpretation could potentially identify additional existing issues and stated that, in his opinion, the Commission was attempting to achieve the best practical outcome under the circumstances.

Chair Henkels stated that he agreed with Comm. Holtz's comments regarding the proposed approach to the Conservation Restriction. Comm. Sevier stated that he shared the same view. Comm. Rogers stated that the homeowners had made several concessions throughout the process and that she appreciated those efforts.

Chair Henkels asked whether the Commission had any additional questions. He then recognized Mr. Bitencourt for comment. Mr. Bitencourt stated that the fence would be relocated and ultimately removed entirely from the property.

Chair Henkels then recognized an abutter for comment and requested an introduction and address. The speaker identified herself as Leah Alvanos of 23 Douglas Drive and stated that she abutted the property. She explained that her concern related to actions by a previous property owner, who she stated had removed trees without authorization, including some trees located on her property. She stated that she did not fully understand the current proposal and noted that a municipal drainage easement crossed her property to discharge stormwater into the pond. She asked what was proposed within the area between the existing fence and her property.

Ms. Alvanos stated that the prior tree removals had created erosion problems that she had addressed at her own expense. She explained that she had filled a ravine and replaced lost vegetation with new plantings. She stated that her primary concern involved understanding the proposed work along the property line and the meaning of symbols shown on the plan.

Coordinator Capone stated that she believed the question related to the proposed plantings along the top of the slope. Ms. Alvanos asked whether the symbols represented plantings. Coordinator Capone confirmed that they represented proposed trees and shrubs. Ms. Alvanos stated that she had no objection to those plantings.

Ms. Alvanos then asked about the driveway location and whether it was being relocated. Comm. Holtz explained that the driveway was only being shifted slightly rather than relocated to a substantially different area. Ms. Alvanos asked whether the proposal essentially restored vegetation while keeping the driveway in a similar location. Coordinator Capone confirmed that understanding. Ms. Alvanos stated that she had no further concerns.

Chair Henkels stated that the matter would need to be continued because several outstanding items remained to be addressed and because the Board of Health review process was still underway.

Coordinator Capone stated that the Board of Health was still reviewing the application during her most recent communication and asked Mr. Carr whether there had been any updates regarding septic system approval. Mr.

Carr stated that the Board of Health had issued one round of comments and that responses had been submitted. He stated that he had received a positive response and, although he had not yet received the permit itself, understood that the plans satisfied the Board of Health requirements.

Comm. Holtz asked whether the Board of Health had been informed that the reserve septic system could not be constructed within the Conservation Restriction. Coordinator Capone stated that she had discussed the issue with the Assistant Health Director and that he believed there was sufficient room to relocate the reserve system outside the Conservation Restriction.

Comm. Sevier stated that the reserve system appeared capable of fitting outside the Conservation Restriction if it were rotated ninety degrees and configured similarly to the primary septic system. Mr. Carr agreed and reiterated that the current layout was driven by the required ten-foot setback from the existing water service line. He explained that if the reserve system were ever constructed, the water service could be relocated. He stated that future plan revisions would show the reserve septic system located outside the Conservation Restriction.

Comm. Holtz requested clarification regarding the fence and noted that prior discussion included the possibility of using the fence as a demarcation for the Conservation Restriction boundary. Coordinator Capone stated that if the fence remained within the right-of-way, approval from the Department of Public Works would be required and that DPW typically did not allow structures within the right-of-way setback. She stated that if the fence remained, additional markers should be installed along the front to identify the Conservation Restriction boundary. She further stated that if the fence were relocated, it could be placed along the Conservation Restriction boundary and the area currently within the Conservation Restriction and used as lawn could be restored.

Chair Henkels asked whether there were additional questions from the Commission and then recognized the applicant. Mr. Bitencourt stated that in the front yard area near the water line there were underground utilities and that this contributed to the decision to propose the septic system in the rear of the property. He stated that he was willing to remove the entire fence, including the portion near the road, if required.

Chair Henkels asked whether there were additional questions from the Commission or the public. Receiving none, Chair Henkels stated that additional work remained and proposed continuing the hearing. He requested consent to continue the matter to May 11, 2026. Mr. Carr stated that May 11, 2026 was acceptable and that revisions would be completed quickly.

On motion by Comm. Sevier to continue the Hearing to May 11, 2026, seconded by Comm. Rogers, via roll call the vote was unanimous in the affirmative. Comm. Porter was not present for this vote.

Notice of Intent: 74 and 80 Maynard Road: Bonnie Brook Realty Corp., DEP #301-1341

Chair Henkels resumed the Hearing for the project to construct a roadway and associated drainage system and utilities in the 100-foot Buffer Zone and Adjacent Upland Resource Area for a 6-lot residential subdivision, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw. John Derderian was the applicant. This Hearing was continued from June 7, August 9, September 27, 2021, August 22, 2022, July 24, 2023, August 26, and December 16, 2024, and February 9, 2026.

Bruce Saluk provided a detailed update on revisions made since the prior hearing, stating that he would focus first on technical items previously raised by Coordinator Capone before addressing open space lot ownership discussions.

Mr. Saluk stated that one primary issue involved the tree restoration and planting plan adjacent to wetland resource areas. He explained that the planting plan prepared by the landscape architect had been revised to increase planting density in areas adjacent to wetland resource areas, consistent with prior feedback. He stated that this revision had been completed and incorporated into the updated plans.

Mr. Saluk stated that another comment concerned whether stockpiled leaf litter would be sufficient for planting and whether imported leaf litter would be used. He stated that Coordinator Capone had expressed concern about importing leaf litter due to potential invasive species contamination. He stated that this issue was being addressed by the landscape architect and incorporated into revised plans, though he did not have the updated plan set in front of him at the time.

Mr. Saluk stated that plant sizes within restoration areas adjacent to wetland resource areas had also been addressed in the revised landscape plans. He stated that these revisions were made in response to prior discussion with Coordinator Capone.

Mr. Saluk stated that Coordinator Capone had requested a construction phasing plan to limit exposed soil during construction. He stated that a plan had been submitted showing the sequence for road construction vegetation removal. He clarified that this sequence applied to road construction only and not to house construction. He stated that this plan had been included in the submission to the Commission.

Mr. Saluk stated that additional discussion had occurred regarding the transition from initial erosion controls to long-term vegetation restoration. He explained that initial erosion control measures would be installed immediately during construction and would include hydroseeding with a New England erosion control conservation mix and installation of jute mesh on steep slopes where necessary. He stated that these measures were intended for short-term stabilization.

Mr. Saluk stated that a second phase of restoration would occur once initial vegetation was established and soils were stable. He stated that tree and shrub plantings would then be installed as part of the long-term restoration plan, and that this second phase would proceed only after approval from the conservation agent. He stated that contractors would not begin installation of trees and shrubs until authorization was granted.

Mr. Saluk stated that these procedures had been incorporated into the construction stage erosion and sediment control narrative, which had also been submitted. He stated that the plan established minimum requirements for contractors, who would either follow the plan as written or submit modifications for approval at least three days prior to the pre-construction conference.

Mr. Saluk stated that another submitted plan addressed prior discussion concerning a neighboring property at 84 Maynard Road and concerns about screening between that property and a proposed house on Lot 6. He stated that the revised plan included offset distances showing the limit of disturbance relative to the neighboring property. He stated that at the closest point, the limit of disturbance was approximately 48 feet from the property line, increasing to approximately 92 feet between houses. He stated that existing vegetation in this area would remain undisturbed and provide screening.

Mr. Saluk stated that this configuration had been reviewed previously in coordination with the Planning Board and had been adjusted in response to prior neighbor concerns.

Chair Henkels requested Coordinator Capone's comments on the submitted materials. Coordinator Capone stated that she had not received the materials described by Mr. Saluk and had only received the planting plan. Mr. Saluk and project representatives acknowledged documentation had not been submitted. Coordinator Capone requested all final documents, including the revised planting plan, for Commission review prior to discussion.

Mr. Derderian stated that the intent was to address the remaining issue concerning land that would not be used for the proposed development. He stated that after reconsidering prior discussion, the applicant was proposing to donate the unused land to the Town rather than pursue other disposition options. He noted that portions of the land abutted other Town-owned land and stated that this approach aligned with prior general discussions about the property.

Comm. Holtz noted that Comm. Porter had joined the meeting earlier and was present. Chair Henkels confirmed his presence and attempted to proceed with introductions. Comm. Porter introduced himself as a Conservation Commission member. Comm. Rogers stated that she would need to leave the meeting due shortly.

Chair Henkels indicated that the Commission would proceed with discussion of the open space parcel. Coordinator Capone summarized prior discussions regarding the proposed open space area. She stated that the primary issue involved whether the land should be held as conservation restriction land or transferred into Town ownership as conservation/open space.

Coordinator Capone stated that the area was largely wetland and included an island that was difficult to access from all surrounding properties, including the proposed subdivision roadway, Wake Robin Conservation land, and adjacent SVT property. She stated that any access routes would require wetland impacts.

Coordinator Capone stated that if the Town took ownership of the open space parcel, it would assume liability concerns associated with unauthorized disturbance, dumping, and potential misuse of the land. She also stated that beaver activity in the area had contributed to flooding issues, including a beaver dam at the outlet of a stream affecting adjacent Town land. She stated that ownership would include responsibility for managing beaver impacts, which could create conflict with abutter expectations.

Coordinator Capone stated that if the land were instead held under a conservation restriction, it would remain privately owned and subject to monitoring by the Commission. She stated that conservation restrictions generally add monitoring responsibilities but noted that the subdivision would already include multiple conservation-restricted lots requiring oversight. She stated that monitoring the parcel under a conservation restriction would not add significant burden relative to existing obligations.

Coordinator Capone stated that Town-owned conservation land is typically managed differently than conservation restriction land, with less frequent monitoring for non-public parcels. She stated that under a conservation restriction structure, compliance would be checked more regularly due to the existing development oversight. She summarized that both approaches had advantages and limitations, including liability, access constraints, and long-term management considerations.

Chair Henkels requested Commission input on the options presented.

Comm. Holtz stated that he was not in favor of the Town taking ownership of the open space parcel and preferred that it remains under a conservation restriction. Chair Henkels concurred with that position. Comm. Sevier stated agreement with the sentiment, but questioned the implications for the applicant if the Town declined ownership and asked how the scenario could negatively affect the applicant.

Comm. Holtz responded that Town ownership could result in slower response to issues such as beaver dam impacts and increased likelihood of public access and informal use, whereas a privately held conservation restriction would limit public use and keep management more controlled. He also noted that Wake Robin Conservation Land and adjacent SVT land were not intended for trails, and stated that keeping the parcel under private ownership with a conservation restriction would reduce public pressure for informal trail creation.

Comm. Sevier asked whether holding the land under a conservation restriction was acceptable from the applicant's perspective. Mr. Derderian responded that the applicant preferred donating the open space parcel to the Town was preferable. He noted the parcel adjoined existing Town land and SVT land, and stated that keeping it under a conservation restriction could reduce its marketability because buyers would pay taxes on land they could not fully use.

Chair Henkels stated that the Commission appeared to agree generally with the position against Town ownership, but noted the need for additional review and legal or procedural clarity before making a final determination. He stated that the Commission did not have a full board present and that it would not be appropriate to decide without broader participation. He referenced prior meeting minutes as part of the record.

Coordinator Capone suggested conducting a site walk so the Commission could review the open space parcel directly. Comm. Holtz supported the idea, noting that prior site visits had not closely examined the area and that conditions may have changed. Comm. Sevier noted he would be unavailable for the next scheduled meeting due to travel.

Chair Henkels stated that due to absent commissioners and voting requirements, the matter would need to be continued to a later date, identified as June 1. Mr. Derderian expressed concern about project timing related to potential road construction in summer and asked whether the issue could be resolved at the current meeting with conditions. Dave Henkels stated that no decision would be made at that time, and reiterated the intent to proceed with a site walk and to reconvene when a sufficient number of commissioners were available.

Chair Henkels stated that Coordinator Capone had not yet had an opportunity to present her full review to the Commission and that there remained outstanding information to be reviewed. Mr. Derderian asked whether discussion of other issues at the May meeting would be sufficient to move the process forward.

Chair Henkels stated that two of the four commissioners required for the decision would not be available at the May 11th meeting and indicated that their participation was required for a valid vote.

Comm. Sevier asked whether issues could still be discussed at the May 11th meeting in order to prepare for a later vote. Coordinator Capone responded that Commissioners who had missed only one prior meeting could review meeting videos and participate in discussion, but that no decisions should be made until the full complement of commissioners who had been present from the beginning were available. Chair Henkels confirmed this understanding.

Mr. Derderian asked for clarification on the meeting sequence and whether a site walk would occur prior to the May 11th meeting. Dave Henkels confirmed that a site walk was intended prior to the May meeting, and Coordinator Capone stated that the Commission could discuss the matter at the May 11th meeting but could not decide until at least the June 1st meeting due to Commissioner availability requirements.

Coordinator Capone explained that the decision could not occur at the May 11th meeting because two required commissioners would be absent, and that the earliest decision would occur at the June 1st meeting. She further explained that after issuance of an Order of Conditions, there is a 10-business-day appeal period.

Mr. Derderian acknowledged the timeline and confirmed understanding of the process and sequencing of meetings, site walk, and decision timing.

Chair Henkels asked whether the applicant consented to continuing the hearing to May 11th. Mr. Derderian consented to the continuation.

On motion by Comm. Sevier to continue the Hearing to May 11, 2026, seconded by Comm. Holtz, with Comm. Porter abstaining, via roll call the vote was unanimous in the affirmative. Comm. Rogers exited the meeting immediately after voting.

Notice of Intent: 9 Trevor Way, DEP #301-1461

Chair Henkels resumed the Hearing for the project to construct a house and associated septic system, driveway, utilities, and appurtenances within the 100-foot Buffer Zone, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw. John Berglund was the applicant. This Hearing was continued from March 23, 2026.

On motion by Comm. Sevier to continue the Hearing to May 11, 2026, seconded by Comm. Holtz, via roll call the vote was unanimous in the affirmative.

Notice of Intent: 1011 Boston Post Road (Lot 10a), DEP #301-1463

Chair Henkels resumed the Hearing for the project to grade, clear, install utilities, and construct a common driveway within the 100-foot Buffer Zone and the local 200-foot Riverfront Area, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw. Reinaldo Faria of Faria Home Improvement was the applicant. This Hearing was continued from April 6, 2026.

On motion by Comm. Sevier to continue the Hearing to May 11, 2026, seconded by Comm. Holtz, via roll call the vote was unanimous in the affirmative.

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

Chair Henkels resumed the Hearing 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. This Hearing was continued from December 8, 2025.

On motion by Comm. Sevier to continue the Hearing to May 11, 2026, seconded by Comm. Holtz, via roll call the vote was unanimous in the affirmative.

Notice of Intent: 94 Pride's Crossing Road, DEP #301-1455

Chair Henkels resumed the Hearing for the project to demolish an existing carriage house and construct a single-family house within the 100-foot Buffer Zone, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw. First Colony Development Co. was the applicant. This Hearing was continued from September 29, November 17, December 29, 2025, January 26 and April 6, 2026.

On motion by Comm. Sevier to continue the Hearing to May 11, 2026, seconded by Comm. Holtz, via roll call the vote was unanimous in the affirmative.

Certificate of Compliance:

Priscolli, 94 and 100 Pride's Crossing Road, DEP #301-728

Chair Henkels tabled this meeting pending resolution of the outstanding violations.

Enforcement Order Update:

73 Wayside Inn Road: Parking Lot Restoration

Coordinator Capone reported that approximately 98% of the recycled asphalt had been removed from the parking lot area. She stated that the material had been excavated, she had confirmed the area was clean, and it had been backfilled with clean material to restore the existing grades. She reported that, following her approval of the work, the area was being hydro-seeded with a grass mix. She stated that once the vegetation was established and the area was stabilized, the Enforcement Order could be lifted.

Other Business:

Chapter 90 Paving: Environmental Punchlist

Coordinator Capone reviewed the proposed 2026 Chapter 90 roadway resurfacing program, stating that the work consisted of milling and paving only, with no structural or drainage improvements. She reported that Hobart Road from Austin Road to the end and Harvard Road from Ford Road to Longfellow Drive did not involve wetlands. She stated that Austin Road from Tanbark Road to Peakham Road included a wetland crossing near Peakham Road. She noted that Hayden Circle, Hammond Circle, Washington Drive, Revolutionary Road, Lafayette Drive, Concord Road from Old Lancaster Road to Hudson Road, and Ford Road from Willis Road to Route 117 each included drainage outfalls, stream crossings, or other drainage features associated with nearby wetlands.

Coordinator Capone explained that silt sacks would be installed in catch basins during construction to prevent asphalt debris from entering wetland resource areas. She reported that no issues had occurred during the previous year's program. Coordinator Capone requested that the Commission authorize her to sign the Chapter 90 Program environmental checklist for the 2026 roadway projects.

Chair Henkels asked whether members of the Commission or the public had any questions and then requested a motion to authorize the Conservation Coordinator to sign the Chapter 90 Program environmental checklist.

On motion by Comm. Sevier to allow the Conservation Coordinator to approve the punch list, seconded by Comm. Holtz, via roll call the vote was unanimous in the affirmative.

Emergency Certification, 507 Boston Post Road, Sudbury Plaza

Coordinator Capone reported that the septic system at 507 Boston Post Road (Sudbury Plaza) had failed. She explained that the applicant had intended to file a Determination of Applicability to conduct test pits within the Buffer Zone and Riverfront Area for redesign of the septic system. She noted that the existing septic system was located in an area that had historically been wetlands and had been filled.

Coordinator Capone stated that, after the application was prepared, septic effluent surfaced on the ground and flowed downslope toward the wetlands. To expedite redesign of the failing system, she issued an Emergency Certification authorizing the test pits needed for system design. She stated that the Commission was being asked to ratify the Emergency Certification.

Comm. Holtz asked whether a recent water main break nearby, which had flooded the surrounding area, was related to the septic system failure. Coordinator Capone responded that the two events were unrelated and explained that the water main break had occurred at a different shopping plaza located between Union Avenue and Station Road.

On motion by Comm. Sevier to ratify the Emergency Certification, seconded by Comm. Holtz, via roll call the vote was unanimous in the affirmative.

Annual Town Meeting, Articles 26 and 36

Coordinator Capone explained that the Planning Office, acting as staff to the Rail Trail Advisory Committee, had requested the Commission's input on two Town Meeting warrant articles. She stated that Article 26 would authorize the Select Board to explore obtaining easements, leases, or other agreements over two parcels on Union Avenue opposite Crumble Station for potential rail trail parking.

Coordinator Capone noted that the two parcels had recently come before the Commission for soil test pits, which found groundwater very close to the surface. She stated that the high groundwater table could limit the feasibility of constructing a parking area because of drainage constraints, and that any future parking proposal would require additional evaluation and would return to the Commission through a Notice of Intent due to the proximity of wetland resource areas. She explained that the warrant article did not authorize construction of parking or commit the Town financially, but only authorized the Select Board to pursue discussions regarding possible easements. She stated that, because the article was limited to exploring the opportunity, she saw no issue with the Commission taking a position, although taking no position would also be appropriate.

Chair Henkels invited questions from the Commission.

Comm. Sevier asked how feasible parking would be given the drainage conditions and initially believed the area was already paved. Coordinator Capone clarified that the parcels were completely forested. Chair Henkels noted that one parcel contained extensive nearby resource areas and reiterated that groundwater had been encountered almost immediately during test pits.

Comm. Holtz clarified the location of the parcels relative to Crumble Station and explained that the proposal involved land south of the recently improved parking area. Coordinator Capone corrected that the parking improvements around Crumble Station were being completed by the Department of Conservation and Recreation rather than the Town. Using an aerial image, she identified Crumble Station, the access to Chiswick Park, the two parcels under consideration, and the adjacent rail trail corridor. She explained that wetlands, a perennial stream, the Buffer Zone, and the Riverfront Area encompassed much of the site. She added that mitigation opportunities would likely be limited to invasive species removal because the site was already forested. Coordinator Capone also identified another nearby parcel that was being evaluated separately for future rail trail parking.

Comm. Sevier stated that, given the existing parking nearby and the environmental constraints, he was not inclined to support the article and believed the Commission should take no position. He expressed concern that the likelihood of a viable parking project did not appear to justify the time and effort that further review might require.

Comm. Holtz stated that his perspective depended on how the article was framed. He explained that if the Commission were evaluating a parking proposal, he would be more inclined to take no position, but because the article only authorized pursuing an easement, he was comfortable supporting it. He added that, based on his experience serving as the Conservation representative on the Rail Trail Advisory Committee, he understood that the proposed lease arrangement would likely involve little cost to the Town.

Comm. Sevier responded that his concerns extended beyond financial cost to include the staff and Commission time required to evaluate a project that appeared unlikely to succeed. He reiterated that, in his view, the potential benefits did not appear to outweigh the likely costs and therefore favored taking no position.

On motion by Comm. Sevier to take no position on Article 26, seconded by Comm. Henkels, via roll call the vote was unanimous in the affirmative.

Coordinator Capone presented Article 36, which would allocate approximately \$270,000 in Community Preservation funding for engineering, design, and permitting associated with new accessible trail connections linked to the Mass Central Rail Trail. The proposal includes two primary components: two accessible trail connections extending from the rail trail through the desert at Memorial Forest and one towards the Duck Pond at Hop Brook Conservation Land. In addition, the article includes a small parking component near the rail trail crossing at Dutton Road, with approximately four to six spaces proposed, including at least some ADA-accessible parking to improve compliance with accessibility needs along the corridor.

Coordinator Capone explained that informal parking is already occurring in an unorganized manner in the Dutton Road area and that ADA-accessible parking along the rail trail is currently limited despite the corridor being a significant recreational and accessibility asset. She noted that portions of the proposed parking area would likely affect Hop Brook Conservation land, and that the boardwalk component connecting into the conservation area would require a Notice of Intent due to jurisdictional wetland resource impacts.

Commissioners discussed the proposal in the context of existing conditions in the rail trail corridor, including its proximity to sensitive resource areas and the regulatory constraints associated with development in wetland-adjacent zones. The discussion reflected a general recognition of both the environmental sensitivity of the area and the potential benefit of improving safe and accessible public access to the rail trail system.

On motion by Comm. Sevier to support Article 36, seconded by Comm. Holtz, via roll call the vote was unanimous in the affirmative.

Conservation Commission Membership

Coordinator Capone confirmed that Comm. Faust had informed the Commission he would not be attending the meeting, and Chair Henkels added that Comm. Cook had also notified the Commission by email of his absence. Comm. Sevier commented that both individuals had generally performed well in their roles and suggested some leniency in considering their participation, but it was clarified that Comm. Faust had decided to step down from the Commission.

Chair Henkels explained that, procedurally, Comm. Faust's resignation would be formally accepted and that Assoc. Comm. Hoffman would be appointed to fill the vacancy effective June 1, 2026, for a three-year term. Comm. Holtz expressed support for this transition, noting appreciation for Comm. Faust's service and confidence in Comm. Hoffman's contributions as an associate member.

On motion by Comm. Sevier to accept Comm. Faust's resignation and accept Assoc. Comm. Hoffman's appointment, seconded by Comm. Holtz, via roll call the vote was unanimous in the affirmative.

It was noted that Comm. Cook had communicated by email that he intended to seek reappointment.

On motion by Comm. Sevier to reappoint Comm. Cook, seconded by Comm. Holtz, via roll call the vote was unanimous in the affirmative.

Finally, the Commission addressed Chair Henkels' own reappointment. A motion was made by Comm. Sevier and seconded by Comm. Holtz to reappoint him, and it was approved unanimously, with Chair Henkels also affirming his support for his own reappointment as required.

Other Business:

Coordinator Capone reminded the Commission of the upcoming Open Space and Recreation Plan process and asked members to keep May 28th on their calendars for the Public Forum. She noted that materials were beginning to come in from the consultants and offered to take the lead on reviewing them unless Commissioners wished to be more directly involved, in which case they should contact her.

Chair Henkels noted that a site walk was scheduled for the following morning at 8:30 at 1011 Boston Post Road, with an additional site visit planned at 3:00 that afternoon related to 9 Trevor Way project, and confirmed that Commissioners were welcome to attend either as available.

Adjourn Meeting

On motion by Comm. Sevier to adjourn the meeting at 10:08 PM, seconded by Comm. Holtz, via roll call the vote was unanimous in the affirmative.