



SUDBURY CONSERVATION COMMISSION MINUTES

Meeting Minutes of Monday, June 15, 2026

Present: David Henkels, Chair; Ken Holtz, Vice Chair; Jeremy Cook; Harry Hoffman; Kasey Rogers; Mark Sevier; Victor Sulkowski, Associate Member; and Lori Capone, Conservation Coordinator

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

Commission Membership:

Recognition of Service and Remembrance of Bruce Porter

Chair Henkels recognized and remembered Commissioner Bruce Porter, who had served on the Commission for approximately 14 years. Chair Henkels said that Comm. Porter brought a variety of areas of expertise to the Commission and had died on June 5, 2026, following a long-term illness. He noted that Comm. Porter had been married to Anne-Marie Lanza for 20 years and had two adult sons, Warren and Jason.

Chair Henkels described initially being reluctant around Comm. Porter because he spoke little and had an imposing presence. As he came to know him, however, Chair Henkels said he recognized Comm. Porter's extraordinary ability to absorb large amounts of information, particularly in areas in which he had strong personal interests. He cited geology, physics, and meteorology among those interests and described Comm. Porter as an extraordinary athlete who continued exercising on a recumbent bicycle and sailing on the Charles River until shortly before his death.

Chair Henkels said that Comm. Porter had taken a particular interest in stormwater management and invasive species management and had become a local expert on those subjects within the Commission. He also said that Comm. Porter had developed the knowledge and judgment necessary to be an effective Commissioner and committee member. Chair Henkels characterized Comm. Porter as a person of exceptional integrity and expressed his thoughts for Anne-Marie, Warren, and Jason.

Comm. Holtz said that Comm. Porter would be missed both on the Commission and personally.

Comm. Cook thanked Comm. Porter for his long service to the community and said that his continued service through the end of his life demonstrated his commitment and passion for the work.

Chair Henkels asked the Commission to take a moment to reflect on its relationship with Comm. Porter and his family. He also announced that a tree would be planted in the near future in memory and recognition of Comm. Porter's service to the Town.

Recommendation to Appoint Victor Sulkowski

On motion by Comm. Henkels to recommend the appointment of Victor Sulkowski to Conservation Commission, seconded by Comm. Cook, via roll call the vote was unanimous in the affirmative.

Wetland Applications:

Request for Determination of Applicability: 424 Concord Road, RDA #26-10

Chair Henkels began the meeting for the project to upgrade an existing driveway within the 100-foot Buffer Zone, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw. Sean Barnacoat was the applicant.

Mr. Barnacoat explained that the property had an existing hard-packed dirt and gravel driveway. He said the map being presented had originally been prepared in connection with the previous owner's septic system work in approximately 2005. The driveway extended toward the rear of the property, where seven boulders marked its

back edge. The wetlands were located beyond the driveway, although the 100-foot Buffer Zone extended through the rear portion of the driveway.

Mr. Barnacoat said the applicant proposed to pave the existing driveway footprint with asphalt without changing its size or configuration. He explained that the driveway slopes upward from the road until approximately the Buffer Zone boundary, where it becomes relatively flat. He said snow removal had become difficult because rocks from the compacted driveway were frequently caught by the plow, shovel, or snowblower. He presented photographs showing the driveway, its flat rear section, the boulders, and vegetation and trees along the northern side.

Coordinator Capone clarified that the wetlands were on the applicant's property and that the wetland boundary shown on the plan represented the edge of the wetland. She said the driveway was approximately 50 feet from the wetlands.

Coordinator Capone said she did not anticipate a significant change in stormwater from paving the existing hard-packed gravel driveway. She explained that the driveway would be pitched toward the north to prevent runoff from washing toward the boulders at the rear, where the land slopes toward the wetland. She said this would reduce the potential for future erosion. She had no concerns with the proposal because there would be no tree removal and no increase in the driveway footprint, and therefore she did not recommend mitigation.

Comm. Holtz asked whether pitching the driveway north would direct runoff toward the neighboring property at 209. He asked whether drainage could be installed along the side of the driveway to infiltrate runoff from the asphalt. Coordinator Capone said she had considered an infiltration trench but was concerned about its potential impact on the root systems of the trees and shrubs growing immediately alongside the driveway. She said that, given the relatively flat area and the minimal potential for erosion or the need for additional infiltration, she did not believe an infiltration trench would provide sufficient benefit to justify the impacts to the vegetation.

Comm. Holtz observed that the existing vegetation would receive additional water from the driveway. Coordinator Capone agreed but reiterated that installing an infiltration trench would require excavation into the trees' root systems. Mr. Barnacoat confirmed that numerous trees were located along the driveway, including near its front portion.

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

Request for Determination of Applicability: 208 Dutton Road, RDA #26-09

Chair Henkels began the meeting for the project to replace a septic system within the 100-foot Buffer Zone, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw. Dacia Callen was the applicant.

Kevin O'Leary described the property as a four-acre parcel on the east side of Dutton Road, with an existing four-bedroom house served by a private well. He identified three wetland areas affecting the property and explained that the yellow lines on the plan represented the Buffer Zones. The existing septic system was located on the south side of the house and appeared to be in or near the groundwater table.

Mr. O'Leary explained that the proposed replacement system was a four-bedroom system located north-northwest of the house, near the existing gravel driveway and garage. Testing in the area south of the house indicated that groundwater was close to the surface. A replacement system in that location would have required significant mounding, a pump, retaining walls, and substantial breakout slope grading that would have created a negative pitch toward the house.

Mr. O'Leary said that additional testing was conducted farther north, where groundwater was encountered approximately four or five feet below grade. The replacement system had been approved by the Health Department, while a stormwater or general stormwater management permit for the associated site work was pending before the Planning Board. Because of the existing house and foundation elevations, the proposed system could operate by gravity. Some grading was required to provide sufficient cover over the gravity sewer pipe between the tank and distribution box.

Mr. O'Leary explained that the proposed mounding would create a slight depression in the yard. A catch basin and yard area drain were proposed in that location, with the drainage piped into a two-unit CULTEC system surrounded by stone.

Mr. O'Leary then discussed the wetland and Buffer Zone on the west side of Dutton Road. Although the septic system would be more than 100 feet from the resource area, some minor slope and breakout grading associated with the leaching field would occur within the Buffer Zone. A construction driveway would extend from the existing driveway and would include a stone tracking pad to reduce sediment carried from the site by construction equipment.

Mr. O'Leary estimated that construction would take approximately two months, allowing for weather delays and scheduling conflicts. Disturbed areas would be graded, loamed, and seeded with grass. No tree removal was proposed, although several trees near the excavation areas could experience some disturbance to their root systems. He identified approximately 300 square feet of permanent disturbance associated with slightly raised grades near the end of the leaching bed and approximately 500 square feet of temporary disturbance associated with the construction driveway.

Coordinator Capone said there would be no increase in the number of bedrooms and that the replacement system would remain the same size as the existing system. She said the proposed location was the only location on the property that made sense and noted that the area was currently open, with no tree removal or significant new disturbance to resource areas.

Coordinator Capone said Mr. O'Leary had answered her question regarding the proposed storm drain and explained why the catch basin was needed in the yard. She identified one remaining issue concerning the driveway surface. The plan had originally identified the driveway as paved, but Mr. O'Leary had updated the plan to show that it was a gravel driveway.

Coordinator Capone recommended that the Commission issue a Negative Determination of Applicability permitting the work, subject to standard conditions.

Chair Henkels thanked Coordinator Capone and asked the Commissioners whether they had questions.

Comm. Holtz asked whether anything prevented the proposed system from being moved slightly south so that it would be completely outside the Buffer Zone. Mr. O'Leary responded that the footprint of the leaching bed was more than 100 feet from the resource area. He pointed to the 100-foot line on the plan and explained that the yellow line passed near the corner of the proposed system. He said the stone comprising the septic system was slightly more than 100 feet away. The five-foot over-dig shown by the gray shaded line represented the excavation required under Title 5.

Mr. O'Leary said that moving the system slightly to the east would require raising its elevation because groundwater was higher on that side. Raising the system would result in additional breakout slope grading within the 100-foot Buffer Zone. Comm. Holtz acknowledged the explanation.

Comm. Holtz then asked about the fish pond shown on the plan as being removed. He asked whether its removal was necessary for the septic work, whether it was being removed because excavation equipment would already be on the property, or whether the pond was shown on an older plan. Mr. O'Leary explained that the topographic survey had been conducted while snow was on the ground and that the surveyors had identified what they believed was a fish pond, which the owner confirmed. He said the owner wanted it removed while the contractors were already mobilized on the property. He described it as a shallow, plastic-lined pond approximately one to one and a half feet deep.

Chair asked whether the Commissioners had any further questions. Chair Henkels then asked whether anyone in the audience had a question or comment.

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

Notice of Intent: 507 Boston Post Road (Sudbury Plaza), DEP #301-1469

Chair Henkels opened the Hearing for the project to repair an existing septic system within the 100-foot Buffer Zone and the local 200-foot Riverfront Area, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw. Mark Hebert (TA Sudbury, LLC c/o Wilder Companies) was the applicant.

Brian McCarthy provided an overview of the project at Sudbury Plaza. He explained that the Notice of Intent concerned repairs to the existing soil absorption system, specifically the leaching field. The repairs would be limited to the leaching field, while the other components of the sewage disposal system, including the grease traps, septic tanks, and sewer pump chamber, would remain in place.

He said recent investigations over several months had identified signs that the leaching field was failing and that repairs were needed. The failure was identified through standing water in observation ports and initial breakout of water at the surface of the field. He explained that infiltration within the field was occurring very slowly, resulting in the breakout. While the project was undergoing review and approval by the Commission and Board of Health, the tanks were being pumped every two weeks to prevent additional water from breaking out of the field.

The leaching field was located in the southeastern portion of the property, within the Plaza Park playground area. The site was affected by the Buffer Zone associated with an intermittent stream as well as the Buffer Zone associated with bordering vegetated wetlands. The existing leaching field was partially within the 100-foot Buffer Zone of the bordering vegetated wetlands and the adjacent upland resource area.

Repairing the leaching field would require excavation and removal of the existing field, which measured approximately 105 feet by 130 feet. The associated sewer force main running from the pump chamber to the field would also be removed. The excavation would extend deep enough to remove the existing sewer laterals and gravel from the existing system.

The replacement leaching field would measure approximately 105 feet by 116 feet, making it slightly smaller than the existing field, and would remain in the same general location. New sewer laterals would have a minimum cover of approximately nine inches and a maximum cover of approximately 36 inches. Mr. McCarthy said the replacement system would provide greater separation from groundwater than the existing system, with approximately 7.7 feet of separation compared with approximately six feet under existing conditions.

A new PVC force main would be installed between the existing pump chamber and replacement leaching field. Two vent pipes would be installed, along with four observation ports distributed throughout the field.

An area of pavement that would need to be repaved. The pavement was located over a portion of the existing septic field that would be removed, and the triangular area would be repaved after the removal. Most of the remaining work would occur in a lawn area that would be reseeded after construction.

The existing playground would have to be removed to complete the work. The same playground equipment would then be reinstalled in the same location. He said the Health Department had completed its review of the design and had informed the applicants the previous Thursday that it was prepared to issue the permit.

He then turned the presentation over to Thomas Liddy to discuss the wetland resource areas.

Mr. Liddy displayed an aerial photograph of the plaza and identified Route 20 to the north, the access driveway running alongside the septic field, and Nobscot Road to the south. He identified the existing leaching field as a playground and lawn area. He said the edge of the Bordering Vegetated Wetland followed a defined toe slope around the edge of the developed area and noted that much of the area had been filled wetlands at one time.

He identified two streams on the property. Stream 1 originated in a swamp, while Stream 2 was located to the east and north and was a larger stream. He explained that the larger stream drained the wetland system to the west as well as drainage infrastructure throughout the plaza.

The two streams met the Wetland Protection Act definition of intermittent streams and had no Riverfront Area. He noted, however, that the Sudbury bylaw presumed a stream to be perennial unless that presumption was overcome. Because of the timing of the project and persistent drought conditions, he said that the perennial-stream issue could not be incorporated into the current application. He indicated that it could be pursued in the future.

There was no floodplain, rare species habitat, certified vernal pool, or potential vernal pool associated with the work. He described the work area as a defined, maintained area.

Coordinator Capone said the project was straightforward. She said that if there were a better location on the site for the septic system, the Commission would seek to have it relocated, but the development of the property left no practical alternative. She noted that approximately half of the site had been wetlands at one time, including the area containing the septic system.

She had prepared draft special conditions for the Commission's consideration and had provided them to the applicant before the meeting. The conditions were largely standard for a septic system project. One item requiring additional information: a plan showing the playground structures, patio, and any other amenities that would be placed over the system after installation.

If the project would retain the exact same footprint and the same playset and other features, she only needed confirmation of that arrangement before installation. If any of those elements would change, she requested that the applicant provide a plan to the Commission in advance.

Chair Henkels thanked Coordinator Capone and asked the Commissioners whether they had questions.

Comm. Holtz asked whether assuming the stream was perennial would place the entire project within the Buffer Zone and where the 200-foot line would end. Coordinator Capone said the 200-foot area would encompass almost the entire project area, with possibly one small corner outside of it.

Chair Henkels asked whether the Commissioners had any other questions.

Comm. Rogers said she recalled the Commission approving work on the septic system a few years earlier and asked whether the previous work had occurred more recently. Chair Henkels recalled a project farther up Route 20 to the east. Comm. Rogers clarified that she was remembering work in the playground area, noting that the playground had been closed for a period of time. Mr. McCarthy said that a portion of the leaching field had been repaired in 2019.

Comm. Rogers asked whether the playground would be restored after the septic work was completed. Mr. McCarthy confirmed that the intent was to rebuild the playground after the system had been repaired and the area backfilled.

Comm. Rogers asked whether there had been any problems with contaminated water reaching the playground area. Mr. McCarthy said there had been no such issues. He said there had been a minor breakout at the far end of the field, and once it was identified, the applicants began addressing it. He noted that the playground was currently closed. Comm. Rogers acknowledged that she had seen that the playground was closed.

Comm. Sevier asked whether the tanks would continue to be pumped throughout the repair so that wastewater would not discharge to the leaching field. Mr. McCarthy confirmed that pumping would continue until the entire system was repaired.

Comm. Sevier asked about the size of the tank. Mr. McCarthy explained that the pumping was being performed from the pump chamber, which had a capacity of 8,000 gallons.

Comm. Holtz asked how the replacement system would achieve the greater separation from groundwater. He asked whether the improvement resulted from reducing the amount of material covering the system or from adding fill. Mr. McCarthy explained that portions of the existing system had more than three feet of cover, although a maximum of three feet of cover was allowed. The replacement system would therefore be raised so that the amount of cover would be reduced to three feet. Raising the system would increase its elevation and provide greater separation from groundwater. Mr. McCarthy said that greater separation from groundwater provided better treatment.

Comm. Holtz asked whether raising the system was the primary method being used to achieve the additional separation and whether there was another method involved. Mr. McCarthy said he believed that the primary method was raising the base of the system above its existing elevation.

Chair Henkels asked Mr. McCarthy to briefly describe the observation ports and explain how frequently they would be monitored. Mr. McCarthy said four observation ports would be installed throughout the leaching field.

He explained that the ports would allow periodic observations, probably twice a year, to determine whether water levels were declining and whether infiltration was functioning properly.

Chair Henkels asked how much wastewater was currently being pumped and whether it was pumped every several weeks. Mr. McCarthy estimated that the existing shopping center generated approximately 4,000 gallons per day entering the tanks. He said the pump chamber had an 8,000-gallon capacity and that there were also two septic tanks with a combined capacity of 18,000 gallons. He confirmed that the pump chamber was being pumped every two weeks.

Chair Henkels asked whether erosion or sedimentation controls would be required as part of the project. Mr. McCarthy said erosion and sedimentation controls would be installed. He explained that an existing wooden fence surrounded the park area and that construction would remain within the fenced area. Compost socks would be installed along the perimeter of the work area, generally adjacent to the fence. In paved areas where runoff could reach catch basins, filter bags would be installed inside the catch basins.

Chair Henkels asked how frequently the catch basins were cleaned. Mr. McCarthy said the existing catch basins were inspected every few months and cleaned twice a year, or more frequently if additional sediment accumulated.

Chair Henkels asked whether the catch basins were part of the pump system. Mr. McCarthy clarified that the septic system was a pump system but that the catch basins operated by gravity and were completely separate from the septic system.

Chair Henkels asked about modifications to the north or south side of the parking lot, recalling that only minor work was proposed there. Mr. McCarthy explained that a portion of the existing septic system was located beneath pavement in the Shaw's loading dock area. Because the repair required removal of the existing system, excavation would have to extend into that paved area. The existing system would be removed and the area would then be repaved.

Chair Henkels asked whether the Commissioners had additional questions. He asked whether anyone in the audience had a question or comment.

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

Chair Henkels said Coordinator Capone had provided the Commission with a draft Order of Conditions before the meeting and asked the representatives whether they had reviewed it. Mr. McCarthy confirmed that they had reviewed the draft.

Chair Henkels asked whether they had any specific questions. Mr. McCarthy said they did not, except for clarification concerning the playground. He explained that if the playground had a different layout, they would need to submit a plan showing the revised layout. If the playground retained the same layout and equipment, they would notify the Commission that it remained unchanged.

Chair Henkels whether the Commissioners had any questions concerning the Order.

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

Request for Amendment to Order of Conditions: Bruce Freeman Rail Trail, DEP #301-1362

Chair Henkels resumed the Hearing for the project to reconstruct a shared-use path and connector ramp within the 100-foot Buffer Zone and the local 200-foot Riverfront Area, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw. MADOT was the applicant. This Hearing was continued from May 11, 2026.

Nick Lapointe identified himself as the project manager with Fuss & O'Neill, representing the Town of Sudbury and the Massachusetts Department of Transportation. He said Megan Woytik, the wetland permitting specialist, and Ben Anderson, the design engineer, were also present to answer technical questions. He also noted that Marcia Rasmussen from the Sudbury Planning Office was present.

He reminded the Commissioners that the Town of Sudbury had received an Order from the Massachusetts Architectural Access Board concerning compliance issues with the spur path at Broadacres Farm, specifically ADA requirements. He explained that the purpose of the project was to bring the spur path into compliance with ADA standards. He said there had been constructability issues, including contractor tolerances that differed from the plans and slopes that needed to be modified. The project was intended to address those issues while minimizing impacts, including avoiding impacts to the parking lot and adjacent resource areas.

Ms. Woytik explained that following the May 11, 2026 Hearing, she had provided responses to questions raised by the Commission. The design had subsequently been revised to eliminate the proposed switchback configuration. Instead, the ramp would follow the existing alignment and footprint of the current ramp. An updated plan showing the revision had been provided to Coordinator Capone earlier that day and had been distributed to the other Commissioners.

The Town pursued the revised design to minimize impacts to wetland resource areas, preserve existing plantings, and accommodate tandem bicycles of different sizes. The redesigned ramp would result in no direct impacts to wetland resource areas, only minor and temporary impacts within the 100-foot Buffer Zone, and no increase in impervious area.

The revised path would follow the existing ramp alignment. The principal changes involved grading and offered to have Lapointe and Anderson provide additional information about the grades if the Commissioners had questions.

Mr. Lapointe explained that the project team had originally sought to avoid changing the parking area and to minimize impacts to the parking lot. Following feedback from the previous meeting, the team considered the recent plantings and vegetation in the area as well as comments concerning the turning movements required for a tandem recumbent bicycle. He said the proposed switchback configuration would have made those movements difficult for the recumbent bicycle.

Mr. Lapointe said the project team concluded that losing a few parking spaces was a better trade-off than constructing the switchback ramp and affecting the vegetation and planting area. The team had been able to make the grades work with the revised design, with the trade-off being the loss of parking.

Mr. Lapointe said the revised design would result in a reduction in impervious area compared with existing conditions. The project team proposed two new trees and would remove two parking spaces. The areas that were no longer needed for the parking spaces would consist of loamed and seeded sloped lawn areas and other non-walkable areas that would not remain impervious.

Mr. Lapointe said that someone visiting the Bruce Freeman Rail Trail at the spur path would see a path that looked almost identical to the existing one, with the principal difference being the grades. The level landing would extend into the parking lot, which would be the primary visible change.

Mr. Lapointe also discussed erosion near a headwall. The project team would address the existing erosion by installing geotextile material and modified rock fill near the headwall. The work would help stabilize the area and address sediment runoff and further erosion.

Mr. Lapointe said the revised design worked largely within the existing footprint and would have limited impacts. He expressed satisfaction that the project team had been able to develop the revised plan, despite the loss of parking, which he considered a worthwhile trade-off.

Mr. Lapointe said the redesigned ramp would consist of a descending path with level landings approximately every 30 feet for users to rest. A new handrail meeting ADA requirements would also be installed. The alignment would remain the same as the existing ramp.

Ms. Woytik said two trees would be added at the top of the path to help identify where the ramp descended because that portion of the parking lot would no longer remain level. She proposed two flowering dogwoods because they would remain relatively small and would not outgrow the area. The trees were native to the Sudbury region of Massachusetts.

Chair Henkels then asked Ms. Woytik to identify the proposed riprap installation for erosion and sedimentation control. Ms. Woytik explained that geotextile fabric would be installed and followed by modified rock fill.

Coordinator Capone said she was pleased with the revised plan because it involved substantially less work and disturbance to resource areas. Mr. Lapointe said that Ms. Rasmussen had proposed the revised approach.

Coordinator Capone said that if the revised plan had been submitted originally, it probably could have been handled as a minor modification, but the project had reached its current procedural stage.

Coordinator Capone then asked about drainage. She explained that runoff from the parking lot flowed down the existing grade toward the stream and asked whether the apparent ponding along the side of the parking lot indicated a deficiency in the existing grading that prevented water from reaching the detention basin.

Mr. Lapointe said the water should not be ponding under the existing design. He explained that it was supposed to sheet-flow toward a designated area on the plan. He identified contours around elevation 171 that directed water toward a stone pad at the edge of the parking lot, which served as the overflow area.

Mr. Lapointe said the existing conditions suggested that the contractor may have improperly graded the area or that water was otherwise failing to reach the intended location, resulting in the ponding observed by Coordinator Capone.

Mr. Lapointe said the revised trail would probably continue to experience some of the existing drainage behavior because the project would require additional cutting in the area. He explained that the revised ramp would be depressed and would direct water toward the area identified on the plan near the wood fence. He said the intent was for the water to overflow into the basin in that area. Mr. Lapointe said the revised grading would therefore address the ponding by directing some of the stormwater to a different portion of the basin.

Coordinator Capone said that because the project team was already revisiting the area, she hoped the drainage issue could be improved as part of the design. Mr. Lapointe agreed and said the project team would attempt to address the drainage while it was working in the area. He added that the grass areas might intercept some of the stormwater before it reached the basin, although he did not expect substantial infiltration. Coordinator Capone agreed that addressing the drainage as part of the work would be beneficial.

Coordinator Capone then explained that the Commission had received the revised plan only that day and that she did not know whether all of the Commissioners had had an opportunity to review it. She recommended a continuance to the next meeting so the Commissioners could review the revised plan and incorporate any conditions they wanted into an Order of Conditions. She said the decision to continue the matter would be left to the Commission's discretion.

Chair Henkels then asked whether the Commissioners had questions.

Comm. Holtz agreed that the revised design was preferable to the proposal previously before the Commission. He echoed Coordinator Capone's concerns about drainage. He said that although Lapointe had identified where the water was supposed to sheet-flow, conditions in the field appeared different. The area seemed to be mounded in front of the drainage system, which appeared to prevent water from flowing toward it.

Comm. Holtz said he wanted the drainage solution to be more prescriptive. Rather than allowing water to flow down toward the additional riprap, he suggested that the project might need a swale extending from the corner of the existing walkway to direct water into the drainage system. He said he wanted the project to intentionally create a better pathway for water to reach the system rather than relying on the water to flow down the path.

Mr. Lapointe said the project team could notch out the area but was limited by the elevation of the weir associated with the design-year flood storage, which he believed was approximately elevation 171.5. He said the team could create a small swale near the area identified as the wood fence but would have to be careful about the elevation at which it was cut. Cutting below the applicable elevation could allow water to flow back out when the storage area filled.

Mr. Lapointe said the team could formalize the swale in the plan by showing contours for reshaping the area to the maximum extent permitted by the existing elevations. Comm. Holtz said that if correcting the location where the water was supposed to sheet-flow was outside the project's scope, creating the swale appeared to be the next best approach. He said the drainage work should be drawn and described for the contractor so that the work would be performed as discussed rather than relying on the contractor to interpret the intended result.

Mr. Lapointe agreed. He and Ms. Rasmussen had been corresponding that day about the narrow tolerances associated with the proposed grades. He said Ms. Rasmussen would want specific oversight of the contractor during construction because of those tolerances. Mr. Lapointe agreed that the plans needed to be prescriptive and said the swale and related work would be shown on the plan because doing so was in the Town's interest.

Comm. Holtz asked whether, if the elevations prevented the proposed swale from functioning, a gutter or metal grate that remained ADA compliant could be installed near the top of the walkway to direct water downward into the retention area. Mr. Lapointe said the project team could potentially install a scupper with a trench drain. He said he would need to consult the drainage engineers to determine whether such a system was feasible given the elevations. He identified the location near the ADA detectable warning panels at the top of the ramp and said he could envision a trench drain near the existing ramp alignment. He also suggested that an underdrain could potentially direct the water into the basin.

Mr. Lapointe said the project team would investigate that option. He explained that the decision would depend on whether the elevations allowed it to work. He said the team did not want to reconstruct the entire basin because that would make the project more invasive than intended.

Comm. Sevier asked about an elevation of 173.58 shown on the plan and questioned whether installing a trench drain at the location being discussed would place it farther down the slope. He said that if the parking lot were at elevation 173, there would be little remaining elevation for the proposed drainage feature. Mr. Lapointe explained that the 173.58 elevation was an old survey benchmark located off in the woods and was not representative of the parking lot elevation. He said the area was somewhat mounded and had unusual grading. Mr. Andersen pointed out that grades were provided on the following plan sheet, including grades at the entrance point and at various points along the ramp.

Comm. Sevier asked whether those grades represented as-built conditions or the design. Mr. Lapointe said they were proposed grades from the initial parking lot design, not as-built conditions. He explained that the project team did not have as-built information for the parking lot because MassDOT did not provide such information for the area. He said the lack of as-built information was one reason the project required close field oversight. He said that if the existing conditions differed by even a half inch or an inch, the construction team would need to ensure that the work was performed to meet ADA requirements.

Comm. Holtz pointed out that although the plan showed the 171-contour around the basin, there appeared to be mounding in front of it. He said the observed field conditions made it difficult to rely entirely on the elevation lines because the area was visibly mounded. Mr. Lapointe agreed and said the construction had created what appeared to be a berm behind the guardrail that was not supposed to be there.

Comm. Sevier said it appeared that the project team needed as-built information and questioned how the drainage problem could be corrected without knowing the existing elevations. He said that although the revised straight-ramp design was preferable, if there was a slope problem, the project team needed to know precisely what the problem was before reconfiguring the system. Mr. Lapointe said the project team had taken field measurements as part of the ADA Architectural Access Board process. He said the elevations associated with the Bruce Freeman Rail Trail had been field measured and verified. He also noted that MassDOT had full-time inspectors. He said that unless the parking lot had been constructed several inches away from the intended grades, the project team could adjust how the ramp connected to the parking lot without changing the fundamental ADA design.

Mr. Lapointe further explained that the ramp would still be constructed at a maximum eight-percent grade over 30-foot sections, with level landings at approximately 1.5 percent. He said the team could begin at the Bruce Freeman Rail Trail and work upward until reaching the parking lot, allowing the connection point to be established based on the field conditions. He acknowledged that as-built information would be useful for determining the extent of work required in the parking lot but said he did not believe it would change the permitting approach.

Comm. Sevier responded that the lack of as-built information was relevant because the Commission was considering stormwater runoff and the existing design appeared not to be functioning as intended. He said the project team did not appear to know precisely where the existing elevations were. Mr. Lapointe said the project was not intended to change stormwater flows. He explained that the original intent was to direct stormwater into the basin and that the revised project would continue to do so.

Comm. Sevier asked about the geotextile and modified rock fill shown on the plan. Mr. Lapointe explained that the geotextile and modified rock fill were intended to address erosion occurring around one of the headwalls.

Comm. Sevier said that the erosion-control work was part of the reason the drainage and elevation issue had become relevant. He said he did not consider the lack of information about the basin and parking lot elevations irrelevant because the project would not need to address the erosion if the existing drainage system were functioning properly. Mr. Lapointe responded that the reason the project was before the Commission was an ADA compliance issue rather than a stormwater or erosion issue.

Comm. Sevier asked whether the erosion-control work should therefore be removed from the project drawing. Mr. Lapointe said the project team had included it because it wanted to address the erosion while working in the area. He said a Commission member had identified erosion concerns at the previous meeting, and MassDOT was willing to fund work to address those conditions. Mr. Lapointe said MassDOT was attempting to act as a partner by addressing some of the erosion while the project was underway.

Comm. Sevier said that from the Commission's perspective, the response was not sufficient. He acknowledged Mr. Lapointe's explanation but said that the project was before the Conservation Commission, not the ADA Board, and that the ADA project affected conservation issues. Mr. Lapointe agreed that he understood the Commission's position. He explained that without the ADA issue, the project team would not necessarily have undertaken work related to stormwater or erosion conditions that had developed after the Town took over the project. He maintained that the absence of complete as-built information did not prevent the project team from constructing the project to address the stormwater and ADA requirements.

Comm. Sevier asked how the project team could know where the ramp would meet the same grade at the parking lot and raised the possibility that the connection could end up several feet from the anticipated location. Mr. Lapointe reiterated that the project team had field-verified the relevant points. When Comm. Sevier asked how that verification had been performed, Mr. Lapointe said the team had taken measurements and slope measurements using GPS equipment. He said the team had established points at the top and bottom of the ramp but had not conducted a complete survey of the parking lot.

Comm. Sevier asked whether the GPS equipment could distinguish differences at the scale of inches. Mr. Lapointe said he was not certain. Ms. Woytik explained that the GPS units could measure elevation as well as location, with sub-meter accuracy. Comm. Sevier noted that a meter was approximately three feet. Mr. Woytik said she believed the equipment had accuracy of up to approximately six inches, although she had not verified the specification before the meeting and had seen that level of accuracy stated in proposals.

Chair Henkels asked Mr. Lapointe to clarify the purpose of the riprap and geotechnical detail shown on the plan. He asked whether it was simply a response to comments or questions raised at the Commission's previous meeting. Mr. Lapointe said it was. Coordinator Capone corrected that characterization and said the erosion-control work had actually been identified as a deficiency in the design during a walkthrough with MassDOT.

Mr. Lapointe asked whether Coordinator Capone had previously discussed that issue with the project team. Coordinator Capone confirmed that she had. Lapointe said the project team had not been aware of that discussion. He said that if MassDOT was responsible for the work, he could include it in the project because MassDOT would be paying for it. He said he had believed that the Commission had raised the issue at the previous meeting.

Chair Henkels said there was evidence of erosion extending down toward the rail trail to the west. He described visible scoring or scarring in the area near the existing riprap and said the erosion appeared to have occurred over time.

Chair Henkels said he expected the project team to return with additional ideas and information concerning the erosion issue. He said he remained uncertain about the absence of as-built information but did not want to dwell on the issue at that point.

Chair Henkels asked whether the Commissioners had additional questions. He then asked whether anyone in the audience had a question or comment and invited members of the audience to raise their hands.

Chair Henkels then summarized his understanding of the next steps and asked Coordinator Capone to correct him if necessary. He said the project team would need to revise and reformat the plans based on the discussion at the

meeting. He said the revisions would give the Commission additional time to review the plans before the next meeting.

Coordinator Capone used the opportunity to raise a separate issue concerning the kiosk on the Bruce Freeman Rail Trail. She said the back of the kiosk did not open and did not know whether the same condition existed at the other kiosks. She asked that if A.A. Will was returning to the site; the kiosk also be repaired. Mr. Lapointe asked whether Coordinator Capone was referring to the kiosk on the Bruce Freeman Rail Trail or the one near the parking lot. Coordinator Capone clarified that she meant the kiosk shown on the screen at the north right corner of the site. Mr. Lapointe confirmed that he understood which kiosk she meant.

Chair Henkels said that the project team would prepare the revised detail and that the Commission would have another opportunity to review it before the next meeting. Mr. Lapointe asked which detail Chair Henkels was referring to. Chair Henkels clarified that he meant the drainage detail. Mr. Lapointe confirmed that this referred to the potential trench drain discussed by Comm. Holtz.

Chair Henkels asked Coordinator Capone whether anything else specific on the plan needed to be modified. Coordinator Capone said she had no additional requests at that point because the Commission had received the revised plan only about an hour earlier. Chair Henkels acknowledged that the Commission would have an opportunity to review the plan before the next meeting.

Chair Henkels asked whether anyone in the audience had a question.

Comm. Sevier then asked whether the Fuss & O'Neill team had everything it needed and whether it was clear what information the Commission expected them to bring back. Mr. Lapointe said the project team would examine the drainage and determine whether it was feasible to install a swale or regrade the area to direct water into the basin. He said the intent was to formalize the drainage approach on the plans so that the contractor would have specific instructions. He also said the team would investigate installing a trench grate with a pipe leading into the basin. He identified resolving the existing stormwater issues associated with the parking lot as a primary task for the revised plans.

Ms. Woytik asked whether the Commission wanted additional information concerning the modified rock fill and geotextile fabric at the location where erosion was occurring. She said Coordinator Capone had provided photographs showing the existing conditions and that Mr. Andersen had added callouts and information to the plans based on those photographs. She asked whether the Commission was satisfied with the information already provided or wanted additional detail.

Coordinator Capone said she did not believe additional information was necessary. She asked whether the repaired area would resemble the northern embankment or the embankment along the rail trail, with seeding that would eventually result in a vegetated surface, or whether the area would remain exposed rock. Mr. Lapointe confirmed that the area would receive compost over the modified rock fill and said the same detail was already included in the construction contract. Coordinator Capone acknowledged the explanation.

Chair Henkels said the additional time would also allow Coordinator Capone to review and revise an Order of Conditions so that a revised version could potentially be presented at the next meeting.

Chair Henkels then asked Ms. Rasmussen whether she consented to continuing the hearing until June 29, 2026. After receiving her consent, Chair Henkels asked for a motion.

On motion by Comm. Sevier to continue the Hearing to June 29, 2026, seconded by Comm. Cook, via roll call the vote was unanimous in the affirmative

Chair Henkels agreed to return to the audience comment and addressed Len Simon.

Mr. Simon introduced himself and thanked Chair Henkels and the Commission. He said he was not an engineer and was trying to understand the work that needed to be performed. He asked whether it was accurate to describe the project as addressing two problems. The first was a drainage problem involving water from the parking lot and the drainage area between the parking lot and the rail trail. The second was the ramp connecting the parking area to the rail trail. He understood that the ramp would remain on a straight alignment but would have a shallower grade, requiring the end of the ramp farther from the rail trail to extend farther into the parking lot. He asked whether that was an accurate description in nontechnical terms.

Mr. Simon asked whether either of the two problems was difficult or insurmountable, or whether both represented work that was customary within engineering practice. He asked how difficult the drainage modification and reduction in the ramp's grade would be and whether the work could be completed before the matter returned to the Commission in approximately two weeks. Coordinator Capone said both modifications should be relatively straightforward to revise and that the necessary changes could be prepared in time for the June 29 meeting.

Mr. Simon asked whether, if the engineering work was completed correctly and the Order discussed by the Commission became part of the project, the project could be approved in two weeks. Coordinator Capone said that was the Commission's goal.

Mr. Simon then asked whether any additional engineering work was required in the Morse Road area of the rail trail beyond the two issues that had been discussed, from the Conservation Commission's perspective. Coordinator Capone said she did not believe there were additional requirements. She noted that the Commission had received the revised plan only about an hour earlier and reserved the possibility that additional comments could arise after review. She said she was not aware of any other deficiency in the area.

Ms. Rasmussen added that other issues still needed to be resolved with the Massachusetts Architectural Access Board. She said the Town would move forward with the plan under review that evening while also working to address the remaining Architectural Access Board requirements. She said she would need to work with MassDOT to accomplish that work.

Mr. Simon asked Ms. Rasmussen whether she had an approximate timeframe for resolving those remaining issues. Ms. Rasmussen said she did not have a timeframe at that point because the contractor could not move forward until a plan was available.

Chair Henkels thanked Mr. Simon for his input. Simon thanked the Commission for its time and ended his participation.

Notice of Intent: Lincoln Road (Sherman's Bridge), DEP #301-1467

Chair Henkels resumed the Hearing for the project to rehabilitate a bridge within the 100-foot Buffer Zone, 200-foot Riverfront Area, Bank, Land Under Water Bodies, and Bordering Land Subject to Flooding, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw. Tina Rivard (Town of Sudbury) was the applicant. This Hearing was continued from June 1, 2026.

Michael Riccardi, of TEC, explained that the project was prompted by ongoing maintenance problems with the bridge, including rotted decking, repeated fastener replacements, and a disconnected diagonal brace caused by corrosion of steel fasteners.

He described the proposed work as replacing deteriorated substructure fasteners, installing a pile jacket on one timber pile within Sudbury, installing three new diagonal braces, and replacing the existing decking with glulam deck panels and a timber wearing surface. The project would also include crash-compliant glulam bridge railings, rough-sawn timber handrails, sidewalk planks, and provisions for future relocation of cables beneath the bridge through PVC conduit.

Peter Engle, of TEC, reviewed the resource areas affected by the project, including Riverfront Area, Bank, Land Under Waterbodies and Waterways, Bordering Land Subject to Flooding, and Bordering Vegetated Wetlands. He stated that there would be no impact to Bordering Vegetated Wetlands and a slight temporary impact to Bank and Land Under Water. The temporary impact would result from installing the pile jacket, which ideally would occur during low water conditions in the fall or winter.

The largest resource-area impact involved Bordering Land Subject to Flooding. The bridge is located within the 100-year floodplain, and the increased thickness of the replacement deck, together with raising the roadway approaches to meet the new deck elevation, would result in approximately 225 cubic feet of permanent floodplain fill within Sudbury. He characterized this as less than 0.04 percent of the overall floodplain. He stated that a hydrologic and hydraulic study found no rise in the 100-year floodplain as a result of the proposed work and that the project had a no-rise certification from the project's hydraulic and hydrologic engineer.

The Sudbury River was within a Natural Heritage Area and that the project had been reviewed under MESA, with a no-take certification issued for the project.

He described proposed resource-area protections, including compost filter tubes around the limits of work and existing abutments and protection around the pile jacket. If water levels were high, a small cofferdam and floating turbidity curtain would be used around the pile jacket to prevent sedimentation. He stated that the pile-jacket work could potentially be completed by hand during low-water conditions.

The pile jacket would consist of a tube installed around the deteriorated pile, with grout placed in the annular space between the jacket and the existing pile to encapsulate the deteriorated portion and maintain the pile's structural strength.

He showed the location of the proposed cofferdam and explained its function. He stated that a cofferdam, traditionally constructed using sandbags and a poly tarp, would isolate the work area from the river and allow construction to occur under dry conditions.

He then described additional resource-area protections identified in response to Commission comments. The project would prohibit the use of de-icing chemicals on the bridge, consistent with current practice. A turbidity curtain would be used around the pile-jacketing work, and temporary shielding beneath the bridge, potentially consisting of a barge or netting, would protect the river from construction materials. Spill kits would be maintained on site, and refueling would not be permitted in the resource area.

Mr. Riccardi also addressed invasive knotweed on the Sudbury approaches. He proposed working with the Commission to identify the limits of knotweed removal and potentially incorporating a special provision into the project specifications, with removal potentially performed by a specialty contractor.

Chromated copper arsenate (CCA) had been eliminated from consideration following the Commission's previous discussion. The remaining preservatives under consideration for the glulam members were DCOI and copper naphthenate (CuNap). He stated that he had provided additional information about both products in response to Commission comments and hoped to reach a consensus with the Sudbury Conservation Commission and the corresponding authorities in Wayland regarding which preservative should be used.

Coordinator Capone stated that the revised bridge design reduced the floodplain impacts by reducing the thickness of the glulam members. She said most of her remaining comments concerned construction logistics and resource-area protection. Because the bridge would remain open during construction and the site was constrained, there would be limited space for storing equipment and materials. She had discussed with Tina Rivard the possibility of storing vehicles and other equipment at Davis Field at the end of each workday, away from the river, to reduce the potential for overnight spills. The crane would remain at the project site, however, so she recommended requiring temporary secondary containment beneath construction vehicles and equipment, similar to a condition used for the Mass Central Rail Trail bridge project.

Coordinator Capone asked whether the existing wooden bridge members, which contain creosote, would receive any additional preservative treatment. Mr. Riccardi stated that no additional preservative would be applied. MassDOT regularly inspected the bridge and had found the existing stringers to be in good condition. The project would therefore leave the stringers in place and replace the components above them.

Coordinator stated that, based on the information provided, DCOI appeared to be the more environmentally sensitive preservative because it degraded more quickly and therefore presented less potential for long-term impacts if material entered the river. She deferred the chemical discussion to Comm. Rogers.

Comm. Rogers asked how frequently DCOI would need to be reapplied compared with the other preservatives. Mr. Riccardi explained that neither DCOI nor copper naphthenate would require routine retreatment. The glulam deck panels would be protected by a timber wearing surface, which was expected to require replacement before the structural glulam panels. The wearing surface would be attached with structural screws, and the construction plans would include instructions for future DPW staff to seal the screw holes in the glulam when the wearing surface was replaced.

Mr. Riccardi further stated that copper naphthenate had a longer history of use and therefore had greater documented confidence for a 25- to 30-year service life. DCOI was newer for heavy structural applications, so its long-term service life was less certain. He stated that DCOI appeared environmentally preferable because any

material released from the glulam would degrade more quickly. He also stated that either option would involve substantially less chemical release than the treatment used when the bridge was originally constructed in 1992.

Comm. Rogers then asked about MCA treatment proposed for the handrails and whether copper leaching presented concerns similar to those associated with copper naphthenate. Mr. Riccardi initially experienced audio problems and subsequently explained that MCA was a water-based material and could potentially have somewhat greater leaching than the other products. He offered to provide additional information.

Mr. Riccardi noted that the solid-sawn members treated with MCA could be fabricated before installation and stored at Davis Field, creating the possibility of some leaching while the materials were stored. Comm. Rogers asked whether a barrier could be placed beneath the materials at Davis Field to prevent potential leaching into the ground. Mr. Riccardi agreed that this would be an appropriate special condition and said it would be straightforward to implement.

Comm. Holtz asked whether the wood preservatives would be applied at the manufacturing facility or in the field. Mr. Riccardi said the preservatives would be applied by the manufacturer before delivery, although some field-cut pieces would receive additional preservative treatment.

Chair Henkels returned to the discussion of DCOI and asked whether any future reapplication would occur on site. Mr. Riccardi confirmed that it would.

Comm. Sevier questioned why DCOI or copper naphthenate was necessary and whether the glulam could instead be coated with epoxy. Mr. Riccardi said the fabricator had advised that an epoxy coating could crack as the glulam expanded and contracted, exposing untreated wood. He said the fabricator considered CCA, copper naphthenate, and DCOI to be the approved preservative options. Comm. Sevier questioned the explanation, noting that the timber-wearing surface would itself be exposed to moisture.

Comm. Sevier then asked how the timber-wearing surface would be attached to the glulam. Mr. Riccardi said 3/8-inch-diameter, 5-inch-long Simpson timber screws would be used. The screws would be spaced no more than 2 feet apart, with minimum clearances of 2 inches from the sides and 4 inches from the ends of the boards. The wearing boards would be 2-by-12s.

Comm. Sevier questioned whether repeated replacement of the wearing boards would create numerous holes in the glulam and compromise its preservative protection. Mr. Riccardi said the plans included a maintenance provision requiring exposed holes in the glulam to be retreated with copper naphthenate, which could be revised to reflect whichever preservative was ultimately selected. He said the provision was intended to identify the treatment required during future maintenance.

Comm. Sevier asked whether replacement boards would use the same screw holes. Mr. Riccardi said he hoped they would not. Comm. Sevier then asked how the old holes would be treated and whether treatment could leak through the glulam into the river. Mr. Riccardi said the wearing boards would be removed before treatment, exposing the glulam, and said the glulam was 5½ inches thick and the screws would not penetrate through it. Sevier indicated that he had no further questions.

Assoc. Comm. Sulkowski suggested that materials stored at Davis Field be tarped at the end of each workday to prevent the preservatives from becoming wet and leaching. He said covering the materials would be simpler than attempting to collect runoff after the materials became wet.

Chair Henkels raised the issue of security for equipment and materials stored at Davis Field. Director Rivard said the contractor could stage heavy equipment to create a barrier around the glulam and timber pieces, making them less accessible. She said she would also investigate indoor or covered storage options and could require construction or temporary fencing around the materials if the Commission considered that appropriate.

Coordinator Capone said the proposed Order of Conditions would allow the Commission's selected chemical treatment to be used while also providing flexibility to evaluate more environmentally sound products that might become available in the future.

Comm. Holtz asked how the bridge was currently plowed and what happened to snow. Director Rivard said Sudbury and Wayland shared snow-plowing responsibilities and generally tried to move snow off the bridge rather than into the river. She acknowledged that some snow went over the southern side of the bridge. Comm.

Holtz asked whether this resulted from the need to coordinate plowing between the two towns. Director Rivard said that was sometimes a factor and said the towns tried not to push snow into resource areas.

Comm. Holtz asked whether the operation and maintenance plan could include improvements to prevent snow from entering the river. Director Rivard said the towns could review their snow-maintenance procedures with Wayland to minimize the amount of snow entering the river.

Comm. Holtz also noted that the plan prohibited salting the bridge, but salt was applied up to the bridge and could consequently be carried onto the bridge with the snow. Director Rivard agreed that this was a valid concern and said the towns would review whether improvements could be made to their snow-maintenance practices.

Comm. Sevier clarified that he understood Director Rivard to mean that plow operators generally moved snow from the middle of the bridge toward the edges and onto the pavement rather than pushing it directly off the bridge.

Chair Henkels asked whether the Commission or audience had any further questions or comments.

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

Chair Henkels asked Coordinator Capone whether the draft Order required any additional provisions based on the evening's discussion. Coordinator Capone said she would add a condition requiring stored materials to be tarped or kept indoors to prevent leachate until the bridge was reassembled. She also noted that the motion to issue the Order needed to identify the chemical preservative to be used.

Coordinator Capone clarified that MCA was already established for the wooden members and that the Commission needed to select between DCOI and CuNap for the glulam. Chair Henkels confirmed that the selected preservative would be incorporated into the Order.

Chair Henkels asked the Commissioners whether they had a preference between DCOI and CuNap. He stated that he favored DCOI.

Comm. Sevier asked whether the preservative was intended to waterproof the glulam. Mr. Riccardi explained that it was intended to protect the wood from rot and decay and maintain its service life. After further discussion, Mr. Riccardi agreed that waterproofing was part of its function. Sevier said he had reviewed information about glulam bridges and observed that waterproofing products were commonly used on their upper surfaces. He said he remained concerned about the condition of the bridge's top surface after the project and about how the preservative would be maintained over time. He said he had no strong preference between CuNap and DCOI but might favor CuNap because of its longer track record.

Comm. Rogers stated a preference for DCOI. Comm. Holtz also preferred DCOI because it did not contain heavy metals. Comm. Cook and Comm. Hoffman stated preferences for DCOI. Chair Henkels also stated that he preferred DCOI. The Commission therefore selected DCOI for the glulam, while MCA remained specified for the other wooden components.

Chair Henkels said Coordinator Capone would specify the selected chemicals in the Order. He then asked Mr. Riccardi whether he and his team had reviewed the draft Order. Mr. Riccardi confirmed that they had and said he had no questions.

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

Notice of Intent: 94 Goodman's Hill Road, DEP #301-1468

Chair Henkels resumed the Hearing for the project to remove two barns, restore two barns, install an associated access road, utilities, and paddocks, remove invasive plants and install native plants within the 100-foot Buffer Zone and local 200-foot Riverfront Area, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw. Laurent Demanet & Kelly Culver were the applicants. This Hearing was continued from June 1, 2026.

On motion by Comm. Holtz to continue the Hearing to June 29, 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 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 and May 11, 2026.

Anthony Gee introduced himself as a wetland scientist with Goddard Consulting, representing Mr. Vincentelli. He said the Notice of Intent concerned construction of a detached garage and walkway and removal of a driveway within the 100-foot Buffer Zone to Bordering Vegetated Wetlands.

Mr. Gee said the proposed detached garage had originally been designed at 30 by 60 feet but had been reduced to 30 by 30 feet following discussions with the Commission and Coordinator Capone. The revised plan included the previously discussed driveway extension but removed the entire rear driveway. A pervious paver walkway would replace the removed driveway area.

Mr. Gee said the revisions would result in a net decrease of 1,551 square feet of impervious surface, with the removed driveway area otherwise becoming lawn. The garage would have an electrical connection but no plumbing or other utilities and would not be connected to the existing septic system. He said the garage would be used for vehicle and general storage and that a garage had historically existed in the area.

Coordinator Capone said the revised plan addressed all of the Commission's previous concerns. She noted that an existing Order of Conditions for earlier work remained open and would be incorporated into the new Order, requiring another six months of monitoring of plantings installed under that earlier project. She said the Commission was in a position to make a decision that evening unless there were additional questions.

Chair Henkels asked whether the existing Order, needed to be closed out before the Commission could issue the new Order. Coordinator Capone said the matters could be handled separately and that both would be issued to the applicant on the same day.

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

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

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

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.

Jacob Crosson, wetland scientist with Goddard Consulting, presented revised plans on behalf of Mr. Berglund. The driveway had been shifted east to increase the separation between the driveway and resource areas, and a drywell was proposed west of the driveway to collect runoff. Although the revised layout expanded the limit of work horizontally, it avoided removal of mature trees. Boulders were proposed intermittently along the limit of work to further identify the conservation boundary.

He reported that the applicant was awaiting final review of the stormwater design by the Town stormwater engineer and Town Counsel's response to proposed deed-restriction language. Because those matters remained unresolved, the applicant did not expect the hearing to close that evening.

Coordinator Capone asked about the triangular area outside the resource areas and the proposed screening, as well as potential invasive-species removal or replanting in the area subject to the deed restriction. Mr. Crosson said existing arborvitaes would be supplemented with additional screening and that the plan included additional

language describing the yard area. Regarding the invasive species, he said the applicant was considering certification of the vernal pool as alternative mitigation.

Coordinator Capone explained that the previously approved development plan required only a 50-foot offset from the vernal pool, while the current plan maintained almost a 100-foot offset from the vernal pool and a 50-foot offset from the wetlands. She said the revised plan represented a significant improvement and that there was no clear stopping point for invasive-species removal. She considered the proposed deed restriction and vernal-pool certification a reasonable approach given the project's limited footprint. Comm. Rogers agreed that certifying the vernal pool was a good approach.

Mr. Arnold explained that the vernal pool was entirely groundwater-fed rather than a perched pool. Its flooding depended on groundwater levels, and it had not flooded during the current spring because of drought conditions. He said the applicant could be required to certify the vernal pool before receiving a full Certificate of Compliance. The Commission could issue a partial Certificate while leaving certification outstanding. Arnold said the construction schedule would likely provide at least two springs, and potentially two years, to obtain the certification.

Chair Henkels asked whether the lack of flooding during the current spring would make certification more difficult. Mr. Arnold confirmed that additional time would be needed to establish the pool's characteristics.

Comm. Holtz asked about culverts south of the property whose origin and function had previously been uncertain. Arnold said one culvert daylighted into a low spot containing a catch basin on the abutter's property, while the source of the other remained unknown. He said the applicant's engineer had proposed a swale so that any water emerging from the culverts would continue to sheet-flow toward the vernal pool without altering the existing hydrology. Mr. Arnold said he believed one of the culverts could carry water during an unusually large storm, although no one had observed such a flow and the pipes had accumulated leaves over time. Comm. Holtz confirmed that the neighboring property was the Save a Dog property.

Regarding a continuation of the Hearing, Mr. Arnold requested the June 29 meeting, explaining that the applicant was awaiting confirmation from the Engineering Department and Town Counsel. Once the engineering review was complete, the conservation bounds could be installed according to the revised plan and incorporated into the subdivision plan. He also expected the deed-restriction language to be finalized with Town Counsel. He proposed subsequently addressing the Certificate for the subdivision and the Order for Lot 4 at the same meeting so that the outstanding matters could be resolved together.

On motion by Comm. Sevier to continue the Hearing to June 29, 2026, seconded by Comm. Cook, 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 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 June 29, 2026, seconded by Comm. Cook, via roll call the vote was unanimous in the affirmative.

[Certificate of Compliance:](#)

Vincentelli, 32 Emerson Way, DEP #301-1431

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

Kelly, 21 Phillips Road, DEP #301-1348

Coordinator Capone stated that this order was to remove trees from the backyard. Two were left as large snags, and twelve shrubs had been planted as mitigation.

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

Adjourn Meeting

On motion by Comm. Sevier to adjourn the meeting at 9:51 PM, seconded by Comm. Cook, via roll call the vote was unanimous in the affirmative.