



SUDBURY CONSERVATION COMMISSION MINUTES

Meeting Minutes of Monday, June 29, 2026

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

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

Wetland Applications:

Request for Determination of Applicability: 882 Boston Post Road, RDA #26-11

Chair Henkels began the meeting for the project to re-establish lawn and for the after-the-fact removal of two trees within the 100-foot Buffer Zone and 200-foot Riverfront Area, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw. Richard & Heather Clement were the applicants.

Mr. Clement described an approximately 5,000-square-foot area between his house and the stream near Route 20. He said three pine trees had been removed from the area, two of which were within the 200-foot Riverfront Area. He said he had not been aware of the 200-foot setback requirement when the trees were removed. The area contained invasive vegetation. He proposed cleaning up the area and restoring it to an open landscape with insect-friendly grasses and plants.

The area had historically been mowed and that he wanted to maintain a green area while incorporating plants such as clover, fescue, echinacea, and bergamot. He said his preference was to avoid removing the tree stumps and instead grind them down, and he intended to perform the work himself without bringing equipment onto the site.

Coordinator Capone explained that the property had been developed before wetland regulations were in place. The homeowners had lived there since 1999, and the area around the trees had been mowed until approximately 2018. The area had subsequently been left un-mowed, allowing invasive vegetation to become established.

She stated that the Commission needed to determine whether restoration to a more lawn-like landscape was appropriate. The proposed use of clover and wildflowers would provide an environmentally beneficial open landscape for wetlands and wildlife. She asked about the extent of earthwork, noting that if the area were graded and loam were added, erosion controls might be necessary. This could be determined during a pre-construction meeting with Mr. Clement or his contractor.

She also asked about future mowing practices if wildflowers were incorporated. She explained that wildflowers would generally require a late-summer or early-fall mowing schedule rather than regular lawn mowing, while clover would require less mowing. Mr. Clement said he preferred not to mow the area and had observed substantial clover growth elsewhere on his five-acre property.

Coordinator Capone presented an aerial photograph showing the three removed trees. The trees had appeared to be large and healthy, although bittersweet had been growing on them. She also noted that trees along the streetscape had been removed by Eversource within 100 feet of wetlands across the street. She explained that the Eversource work was an exempt activity associated with utility lines and provided the Commission with the additional context.

She had no significant concerns with the tree removal because the trees were more than 180 feet from the stream and did not appear to have provided shade or otherwise affected the resource area. The area had previously been lawn and would now be restored by removing invasive vegetation and establishing a more natural landscape. She considered the restoration largely self-mitigating and said no additional mitigation was necessary.

She recommended that the Commission issue a Negative Determination of Applicability, subject to a site meeting with Mr. Clement before the work began and submission of photographic documentation after the area had been stabilized to confirm compliance with the Determination.

Chair Henkels then asked the Commissioners for questions.

Comm. Hoffman asked whether there was a concern that the loam used for restoration could contain invasive-plant seeds. Coordinator Capone acknowledged that there was always such a concern but said that annual mowing would limit the establishment of any invasive plants introduced with the loam because they would likely be removed before producing seed.

Comm. Holtz asked why the trees had originally been removed. Mr. Clement said his wife considered the trees a safety concern.

Chair Henkels then asked whether there were any additional Commissioner questions or audience comments.

On motion by Comm. Sevier to issue a Negative Determination of Applicability #3, seconded by Comm. Sulkowski, 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 and June 15, 2026.

Megan Woytik, environmental scientist with Fuss & O'Neill, presented revised plans for the MassDOT project to redesign the connector ramp between the Bruce Freeman Rail Trail and the Broad Acres parking lot. The current design would remain within the alignment of the existing path.

The revised plans addressed comments from the previous hearing concerning stormwater runoff and erosion near the culvert headwall. The first five feet of the level landing would be pitched back toward the parking lot so that water approaching the landing would flow toward the parking lot and ultimately the stormwater basin rather than down the path. Two-inch berms would be installed along both sides of the path to prevent runoff from flowing over the edges and toward the eroded culvert area.

The plans also included contractor instructions to regrade the berm between the parking lot and detention basin to restore the intended design to allow water to sheet-flow from the parking lot into the basin. The eroded area over the culvert headwall would be further protected with modified rock fill, compost, and geotextile fabric. The contractor would also be directed to address the display board that had not been functioning properly.

Regarding grading, Ms. Woytik said the design was based on field elevations collected by MassDOT using GPS equipment. During construction, MassDOT and the contractor would reestablish the finished-grade baseline through surveying. Although there were no formal project benchmarks, the ramp's grading was constrained by the fixed elevations where it tied into the existing bridge, rail trail, and parking lot, allowing the designers to establish the slopes necessary for ADA compliance.

The revised plans also proposed two planting beds at the head of the ramp to identify the transition in slope. Each bed would contain a flowering dogwood and New Jersey tea shrubs.

Coordinator Capone said the revised plan addressed all of the questions raised at the previous meeting and brought the project substantially into compliance with the original Order of Conditions. She had prepared an amended Order and said the special conditions would remain essentially unchanged because the revised work did not require additional conditions. She recommended that the Commission close the Hearing and issue the amended Order.

Comm. Holtz asked whether the grading between the parking lot and detention basin would allow water to sheet-flow directly into the basin and whether any existing curb between the parking lot and grass area would be removed if necessary. Ms. Woytik confirmed that the berm had not been part of the original design and would be regraded to the intended elevation so that runoff could sheet-flow into the basin.

Comm. Holtz asked whether pitching the first five feet of the landing back toward the parking lot would create a bump or other ADA accessibility problem. Ms. Woytik said it would not, provided the contractor installed the

proper path base. She said the gentle slope would comply with ADA requirements and should not create a hazard or significant frost-heaving problem.

Comm. Holtz then asked how the newly proposed trees would be watered, noting that there was no irrigation system. Woytik said she would need to determine MassDOT's planting-maintenance protocol. Coordinator Capone said she expected that responsibility would fall to the Town because the Town was maintaining the path, although the Order could place the responsibility on MassDOT.

Chair Henkels asked about the period during which the plantings would be monitored and maintained, noting that the original Order had been issued in 2022. Coordinator Capone said the Governor had provided a two-year extension for active Orders and that she believed another year or two remained on the Order, although she would need to calculate the exact expiration date. She was uncertain whether MassDOT intended to seek a Certificate of Compliance.

Chair Henkels observed that, at least in the short term and potentially longer, the Town would need to ensure that the plantings became established and remained viable. Coordinator Capone noted that other plantings along the corridor had experienced substantial mortality after the first year. Although dead plantings had been replaced during the first year, there had not been an intention to replace those that died later. She said she did not want the effort invested in the new plantings to be lost. Chair Henkels agreed and thanked her.

Chair Henkels then asked for any additional Commissioner questions.

Chair Henkels asked whether anyone in the audience had a question or comment and asked Marcia Rasmussen, Sudbury Interim Rail Trails Coordinator, whether she had any comments. Ms. Rasmussen said she did not.

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

Chair Henkels then noted that Coordinator Capone had provided an amended Order and asked whether the Commissioners had any questions or comments.

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

Notice of Intent: 94 Goodmans 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.

David Crossman said the applicants had made the plan changes requested at the June 1 meeting and were awaiting feedback from the Planning Board regarding stormwater. He said the applicants had not yet received that feedback, but their engineer believed the extensive removal of invasive species provided sufficient mitigation and that additional stormwater work would not be necessary.

Mr. Crossman described the two barns proposed for removal near the wetlands. He said the area surrounding the barns was heavily overgrown with oriental bittersweet, multiflora rose, and honeysuckle. The revised plan identified the area where invasives would be removed, including vegetation growing around and on the barns that needed to be cleared before their removal. The applicants proposed planting mountain laurel afterward to provide screening along the adjacent wetland and discourage people and animals from entering the wetland.

The plan now included follow-up treatment for the invasive species removal, based on the treatment provisions included in the contract with the company performing the work. He said these were the two remaining changes requested at the June 1 meeting.

Coordinator Capone said she had heard from the Planning Office that afternoon and that it was prepared to issue a decision. She said the Planning Office had been waiting to confirm that the Commission was satisfied with the plan and did not believe it would require changes.

Comm. Holtz asked whether the 15 mountain laurel proposed for the site would be sufficient to fill the area, noting that mountain laurel grows slowly. Mr. Crossman said the plantings were not intended to form a fence but would be staggered throughout the area so that they could eventually fill in and discourage people and horses from entering the wetland. He said an old riding trail had existed through the area and the goal was to keep people out of the wetland resource area over the long term.

Comm. Holtz asked whether foliar herbicide application was necessary, saying he generally preferred cut-and-dab treatment. Mr. Crossman said the applicants would accept a Commission requirement for cut-and-dab treatment, particularly given the proximity of the work to the resource area. He identified oriental bittersweet as approximately 80 percent of the invasive vegetation, with multiflora rose and honeysuckle comprising the remainder.

Coordinator Capone explained that the initial invasive treatment would involve removal and cut-and-dab treatment of the stumps. The proposed foliar application was intended for seedlings that emerged afterward and were too small for cut-and-dab treatment. Hand removal could be used instead, either throughout the area or within a specified distance of the wetland, while foliar application could be permitted farther from the wetland. She described the proposed application method as a targeted backpack sprayer with a cone around the sprayer to limit treatment to individual seedlings.

Chair Henkels asked Mr. Crossman to clarify the size of the treatment area and its proximity to the resource area. Mr. Crossman said he did not have a calculated square footage but said the work would occur less than 10 feet from the wetland.

Comm. Holtz said he favored hand removal but recognized that it would require a significant commitment. Chair Henkels asked whether the treatment would need to be repeated. Mr. Crossman said he expected multiple treatments would be necessary, based on his experience controlling bittersweet on his own property. He said bittersweet was not a one-time treatment and that the homeowners would need to continue monitoring and controlling regrowth because it could spread rapidly if left untreated for a season.

Comm. Holtz asked whether horses would have access to the area where Roundup was proposed and whether Roundup posed a risk to horses. Mr. Crossman said horses should not have access to that area because their activities would be concentrated around the front barns and paddocks. He said the larger mountain laurel plantings were intended in part to discourage access to the rear area.

Coordinator Capone displayed an aerial photograph showing the two barns proposed for removal. She explained that the area behind the barns had historically been mowed and remained partly grassy, while bittersweet had grown over the structures and extended toward the wetland. She estimated the broader treatment area at approximately 8,000 square feet but said much of it was previously mowed and would likely not receive foliar treatment. She said the foliar treatment would primarily occur around the barn structures.

Comm. Holtz said he did not favor foliar spraying Roundup because of the potential for it to enter the wetlands. He said he would defer to the other Commissioners because no other Commissioner had yet expressed an opinion.

Comm. Rogers asked how long Roundup would remain viable after application. Mr. Crossman said he did not know. Mr. Demanet said he had found information indicating that toxicity decreases after approximately two days and that the product breaks down in soil over a period of weeks, while noting that he was not a specialist.

Comm. Hoffman asked whether there was an alternative to either foliar application or hand removal. Coordinator Capone said another option would be regular mowing for a couple of seasons before the plantings were installed. She explained that the existing bittersweet was mature and had produced seeds throughout the area over the years, so new seedlings would continue to emerge.

Comm. Hoffman asked whether tarps, potentially combined with loam, could be used to treat the area. Coordinator Capone said solarization was another option and had been used successfully on extensive bittersweet infestations, but it would kill all vegetation in the treated area, requiring the area to be replanted from scratch rather than allowing existing native plants to fill in.

Chair Henkels asked about the likelihood that bittersweet would return after the mature plants were removed and the stumps were treated. Coordinator Capone said the seeds could remain viable for 10 to 12 years.

Comm. Holtz said mowing would prevent new plants from maturing and producing additional seed. He suggested mowing the area and hand-pulling sprouts along the wetland border, where the Commission was most concerned about avoiding herbicide application. Mr. Crossman said he was willing to use mowing instead of continuing to pay for pesticide applications. He said he had used mowing successfully on other invasive-species projects.

Chair Henkels supported the approach and told the applicants that they could contact the Commission or Coordinator Capone if they encountered problems with bittersweet or other invasive species competing with the native plantings. Chair Henkels said the Commission could discuss additional options with them as the project progressed.

Comm. Sevier summarized the proposed approach as removal of the larger invasive vegetation, cut-and-dab treatment with glyphosate, a single foliar application, followed by installation of the mountain laurel and ongoing mowing. Mr. Crossman confirmed that this was the proposed approach.

Comm. Holtz asked Coordinator Capone whether the Commission could impose those requirements as conditions. Coordinator Capone said she would remove the general condition permitting foliar application and replace it with a condition allowing one-time foliar application after the initial treatment. Following the initial treatment, mowing and hand-pulling would be used until the invasives were under control. She recommended that this occur before the mountain laurel was planted because mowing would be difficult after the plantings were established. Once the bittersweet was under control, the area could be planted and allowed to naturalize.

Comm. Sevier agreed that approach made sense. Chair Henkels asked whether a separate motion was necessary to adopt the invasive-management provisions. Coordinator Capone said they could be incorporated into the Order of Conditions rather than addressed through a separate motion.

Chair Henkels then conducted a general straw poll. Comm. Sulkowski supported the approach. He said he had visited the site in connection with his efforts to restart the Agricultural Commission and had observed the extent of the bittersweet. He said the applicants were undertaking substantial invasive-species removal and supported the amended conditions providing for a one-time application followed by mowing. He said he had used mowing on his own property and found that it kept invasive vegetation under control. Comm. Hoffman supported the approach. Chair Henkels also indicated his support.

Chair Henkels then asked whether there was anything further before proceeding to a motion to close the Hearing.

On motion by Comm. Rogers to close the Hearing, seconded by Comm. Holtz, 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 and June 15, 2026.

On motion by Comm. Cook to continue the Hearing to July 27, 2026, seconded by Comm. Rogers, via roll call the vote was unanimous in the affirmative.

Notice of Intent: 1011 Boston Post Road (Lot 11), DEP #301-1462

Chair Henkels resumed the Hearing for the project to construct a house with associated common driveway, utilities, grading and clearing 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 (Faria Home Improvement) was the applicant. This Hearing was continued from April 6 and May 11, 2026.

On motion by Comm. Rogers to continue the Hearing to August 10, 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 (Faria Home Improvement) was the applicant. This Hearing was continued from April 6 and May 11, 2026.

On motion by Comm. Rogers to continue the Hearing to August 10, 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 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. Holtz to continue the Hearing to July 13, 2026, seconded by Comm. Cook, with Comm. Sulkowski abstaining due to his connection to applicant via membership on Wayside Inn Board of Trustees, via roll call the vote was unanimous in the affirmative.

Enforcement Order:

73 Wayside Inn Road: Parking Lot Restoration: Vote to lift Enforcement Order

On motion by Comm. Sevier to lift the Enforcement Order, seconded by Comm. Hoffman, with Comm. Sulkowski abstaining due to membership on Wayside Inn Board of Trustees, via roll call the vote was unanimous in the affirmative.

Other Business

Coordinator Capone reported that trees had been removed without permission at 46 Evergreen Road and said an after-the-fact application would be brought before the Commission.

Adjourn Meeting

On motion by Comm. Rogers to adjourn the meeting at 8:03 PM, seconded by Comm. Sevier, via roll call the vote was unanimous in the affirmative.