

Town of Sudbury

TOWN OF SUDBURY COMMUNITY PRESERVATION COMMITTEE

PROJECT SUBMISSION FORM

Submitter: Maureen Valente, Town Manager

Submission Date: Oct. 31, 2008

Group or Committee Affiliation (if any):

Submitter's address and phone number:

Purpose (please select all that apply):

Town Manager
278 Old Sudbury Rd.
Sudbury, MA 01776

Open Space

Recreation

Submitter's email address: valentem@sudbury.ma.us

Project Name: **CSX Rail Corridor Acquisition**

Project Description: Acquisition in fee of the 1.2-mile railroad corridor from the Chiswick Park Rd. off Union Ave. south to the Framingham line (9.76 acres)

Costs:

Fiscal Year	Total Project Cost	CPC Funds Requested	Other Funding Sources (amount and source)
2009	To be determined, but estimated at \$700,000	To be determined, but estimated at approximately \$430,000 (however, full purchase price must be appropriated in order to obtain state grant)	Mass. DEP Drinking Water Grant will be submitted in June 2009 for up to 1/2 of the town's cost for acquisition, \$500,000 max. \$25,000 allocated from Sudbury Water District.
2010			
2011			
2012			
2013			
Total			

How does this project meet the General Criteria and Category Specific Criteria for CPC projects (see attached)? *This acquisition meets ALL of the General Criteria, 9 of the 11 Open Space Criteria, and ALL 6 of the Recreation Criteria. See Attached Narrative and the CPA criteria listings. All the criteria that are met by this proposal are highlighted in yellow.*

Does this project fall within the jurisdiction or interest of other Town Boards, Committees or Departments? If so, please list the boards, committees or departments, whether applications and/or presentations have been made, and what input or recommendations have been given: *Board of Selectmen; Planning Board; Sudbury Water District; Park & Recreation Commission; Ponds &*

Waterways Committee; Rail Trail Conversion Advisory Committee will all be parties likely to be involved at the appropriate time. Acquisition of this corridor overlaps with goals of all of these Committees and Boards.

We are still in negotiations with CSX therefore the purchase price has not been determined. The Town Manager, Conservation Coordinator, Planning Director, and Water District Superintendent have been involved in the grant application to the State.

For Community Preservation Committee Use:

Form Received on: _____

Project Presented to CPC on: _____

Reviewed by: _____

Determination: _____

Project Description:

This proposal is for the acquisition of a railroad corridor owned by the CSXT Corporation that is a 66' wide corridor and 6,733.5 linear feet long, containing 9.76 acres. The 2007 Annual Town Meeting voted the authorization of funds for the purchase of this land, however the motion made did not meet the requirements of the state grant program applied for funding under. The Town needs to appropriate the full purchase price, and the state reimburses up to the grant amount.

The 2007 appraisal completed for the Town by Avery Associates valued this parcel at \$475,000. The CSX appraisal values the property at \$788,496. A negotiated value of \$700,000 has been discussed. An appraisal update will need to be completed prior to obtaining the state grant.

Sudbury's Master Plan, dated 2001 and titled "Sustainable Sudbury", specifically has acquisition of the CSX corridor as a goal for water supply protection, open space, and passive recreational use. The Water Resource Protection District includes this rail corridor due to the close proximity and ground water flow direction to five of the Town's drinking water supply wells. Acquisition of the CSX rail corridor will eliminate a major source of potential pollution of groundwater in Zones I, II, and III of these five wells clustered south of Rt. 20.

The parcel currently is not operating as a rail line. The rails and ties were removed in 2005-2006. CSX filed for abandonment in June 2001 with the federal Surface Transportation Board (STB). Through the STB process, CSX and Sudbury have entered into formal negotiations for Town purchase of this parcel. A small section of the corridor may be used by the Town in the future as part of a Route 20 bypass or realignment. The land adjacent to the corridor passes through mostly wetland, floodplain, and riverfront areas. The rail bed is located on raised fill through these wetland resources. Lack of maintenance has the potential to create erosion and sedimentation into these wetland resources in Zones I, II, and III of the five nearby wells. Potential culvert blockages could impact water quality and quantity.

Should the Town be successful in acquiring the parcel, the parcel will provide a passive recreational trail compatible with the goal of water supply protection. This rail corridor connects to the proposed Bruce Freeman Rail Trail and the proposed Wayside Rail Trail to the north. Should the Town of Framingham (or other public entity) acquire the continuation of the CSX rail corridor to the south of Sudbury, potential connections to other rail trails may be possible. In addition, this corridor bisects the town-owned Mahoney Farm parcel. Alternative non-vehicle access to the eastern portion of the Mahoney

parcel will be gained by town ownership of this corridor.

The largest threat facing the parcel at this time is the unknown. Should the Town of Sudbury be unsuccessful in its acquisition efforts, CSX has informed the Town of its fiduciary duties to sell it for the highest and best use to meet the obligations to the CSX stockholders. The ultimate use of the parcel could be a private railroad to continue to service lumber yards located to the north; sale to abutters for expansion of commercial or light industrial uses in the area of Rt. 20; acquisition by utility companies; or private acquisition eliminating Water District maintenance access; etc. Due to the importance of this parcel for water supply quantity and quality, it makes sense to eliminate any potential incompatible uses, develop the area for passive recreation, and bring the property under the control of the Town.

The Town of Sudbury and the Sudbury Water District (separate entity) are partnering for the acquisition of this property. Both the Town and the Water District funded the cost of the Avery appraisal, and the Water District appropriated \$25,000 towards the purchase price of the land at its 2008 Annual Town Meeting. It is expected that both parties, if successful, will work together to provide public trail access compatible with the water supply.

The CPC has previously funded the completion of a title search of the property. It is anticipated that the warrant article for this proposal will allow funds to come out of either FY09 or FY10 accounts, depending on the timing of the state grant.

Project Schedule:

Oct 2008 – Feb. 2009:	continue negotiations with CSX on purchase price
Feb. 2008:	enter into Purchase & Sale obtain MassDEP approval conduct Title Search
June 30, 2009:	purchase completed

TOWN OF SUDBURY COMMUNITY PRESERVATION COMMITTEE

General Criteria

The Sudbury Community Preservation Committee will give preference to proposals that address as many of the following general criteria as possible:

- Are eligible for Community Preservation Act (CPA) funding according to the requirements described in the CPA legislation;
- Are consistent with the town's Master Plan, Open Space and Recreation Plan, Land Use Priorities Committee Report, Town-wide Comprehensive Facility Study, Community Housing Plan, and other planning documents that have received wide scrutiny and input and have been adopted by the town;
- Receive endorsement by other municipal boards or departments.
- Preserve the essential character of the town as described in the Master Plan;
- Save resources that would otherwise be threatened and/or serve a currently under-served population;
- Either serve more than one CPA purpose (especially in linking open space, recreation and community housing) or demonstrate why serving multiple needs is not feasible;
- Demonstrate practicality, feasibility, urgency;
- Demonstrate that the project can be implemented expeditiously and within budget;
- Demonstrate that project alternatives, and alternative funding mechanisms, have been fully explored;
- Produce an advantageous cost/benefit value;
- Leverage additional public and/or private funds; and
- Preserve or utilize currently owned town assets.

Category Specific Criteria

Open space proposals that address as many of the following specific criteria as possible will receive preference:

- Permanently protect important wildlife habitat (nesting sites), including areas that:
 - are of local significance for biodiversity;
 - contain a variety of habitats, with a diversity of geologic features and types of vegetation;
 - contain a habitat type that is in danger of vanishing from Sudbury; or
 - preserve habitat for threatened or endangered species of plants or animals;
- Preserve Sudbury's rural and agricultural character;
- Provide opportunities for passive recreation and environmental education;
- Protect or enhance wildlife corridors, promote connectivity of habitat or prevent fragmentation of habitats;
- Provide connections with existing trails or potential trail linkages;
- Preserve scenic views;
- Border a scenic road;
- Protect drinking water quantity and quality;
- Provide flood control/storage;
- Preserve important surface water bodies, including wetlands, vernal pools or riparian zones; and
- Preserve a primary or secondary priority parcel in the Open Space Plan.

Historical proposals that address as many of the following criteria as possible will receive preference:

- Protect, preserve, enhance, restore and/or rehabilitate historic, cultural, architectural or archaeological resources of significance, especially those that are threatened; and in the case of proposals on private property, the proposal and/or proponent meet certain economic criteria as may be required by the Community Preservation Committee;
- Protect, preserve, enhance, restore and/or rehabilitate town-owned properties, features or resources of historical significance;
- Protect, preserve, enhance, restore and/or rehabilitate the historical function of a property or site;
- Project is within a Sudbury Historic District, on a State or National Historic Register, or eligible for placement on such registers, or on the Sudbury Historic Properties Survey;
- Project demonstrates a public benefit; and
- Project demonstrates the ability to provide permanent protection for maintaining the historic resource; and in the case of proposals on private property, the proposal and/or proponent have demonstrated additional protective measures and have met additional criteria, as may be imposed by the Community Preservation Committee, to ensure the continued permanent protection of the historic resource.

Community Housing proposals that address as many of the following criteria as possible will receive preference:

- Contribute to the goal of 10% affordability;
- Conform to the town's Community Housing Plan;
- Promote a socioeconomic environment that encourages a diversity of income;
- Provide housing that is harmonious in design and scale with the surrounding community;
- Intermingle affordable and market rate housing at levels that exceed state requirements for percentage of affordable units;
- Ensure long-term affordability;
- Promote use of existing buildings or construction on previously-developed or Town-owned sites;
- Convert market rate to affordable units; and
- Give priority to local residents, Town employees, participants in the Sudbury Metco program and employees of local businesses.

Recreation proposals that address as many of the following criteria as possible will receive preference:

- Support multiple recreation uses;
- Serve a significant number of residents;
- Expand the range of recreational opportunities available to Sudbury residents of all ages;
- Jointly benefit Conservation Commission and Park and Recreation Commission initiatives by promoting passive recreation, such as hiking, biking, and cross-country skiing, on town owned property;
- Maximize the utility of land already owned by Sudbury (e.g. school property); and
- Promote the creative use of railway and other corridors to create safe and healthful non-motorized transportation opportunities.