

# Town of Sudbury

Community Preservation Committee

<http://www.sudbury.ma.us>  
email: [cpc@sudbury.ma.us](mailto:cpc@sudbury.ma.us)

## PROJECT SUBMISSION FORM

Submitter: Maureen Valente, Town Manager

Submission Date: Nov. 1, 2013 (revised 12/4/13)

Group or Committee Affiliation (if any): Board of Selectmen

Submitter's address and phone number:

278 Old Sudbury Road  
Sudbury, MA 01776

Purpose (please select all that apply):

- Open Space
- Community Housing
- Historic
- Recreation

Submitter's email address: [selectmen@sudbury.ma.us](mailto:selectmen@sudbury.ma.us); [valentem@sudbury.ma.us](mailto:valentem@sudbury.ma.us)

Project Name: Design Funds for Bruce Freeman Rail Trail

Project Description: Request is for design funds to complete the 25% design plan for the full 4.4 mile rail trail in Sudbury to MA DOT standards.

Costs:

| Fiscal Year  | Total Project Cost | CPC Funds Requested | Other Funding Sources (amount and source)  |
|--------------|--------------------|---------------------|--|
| 2015         | \$261,384          | \$150,000           | FBFRT - \$58,700;                          |
| 2016         |                    |                     | reallocated CPC funds - \$27,684 from 2007 |
| 2017         |                    |                     | \$25,000 from 2009                         |
| 2018         |                    |                     |  |
| 2019         |                    |                     |  |
| <b>Total</b> | \$261,384          | \$150,000           | \$111,384                                  |

How does this project meet the General Criteria and Category Specific Criteria for CPC projects (see attached)?  
*Design of the rail trail is an eligible CPA expense.*

**Incidental Project Costs.** CPA funds may be used for site surveys, environmental assessments, historic or housing consultants, architectural and engineering fees, permit processing fees, construction consultants, financing consultants, legal and accounting fees, and similar costs associated with and incidental to the development of a CPA project. Such expenditures should be made from the appropriation for the particular project and, as project costs, they do not constitute operation or administration expenses of the committee subject to the 5% limitation.

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.

*The Board of Selectmen is proposing this project. The Conservation Commission and Park & Recreation Commission will ultimately have input into any final design of a rail trail. Creation of a rail trail is consistent with the recommendations in the Master Plan.*

For Community Preservation Committee Use:

Form received on: \_\_\_\_\_

Project presented to CPC on: \_\_\_\_\_

### Project Description:

This proposal is a request to fund \$150,000 for the design of a rail trail in compliance with MA DOT standards within the Bruce Freeman Rail Trail corridor for its full length in Sudbury. The estimated project cost is \$261,384, with the remaining \$110,384 coming from the Friends of the Bruce Freeman Rail Trail (FBFRT) advocacy group (\$58,700), and leftover funds from Article 24 of the 2007 Town Meeting article for the rail trail base map (\$27,684) and the Article 27 of the 2009 Town Meeting article for design funds for a concept plan (\$25,000). This is a preliminary cost estimate for the project. If funds are approved, an RFP will be developed and competitive bids solicited for the work.

The Town has been supportive of creating a rail trail within this corridor. Over \$170,000 has been appropriated since 2005 for this project, including surveying the right of way, title examination, wetland mapping and wildlife survey. Non-binding resolutions at both the 2012 Annual Town Meeting and the 2012 Town Election indicated strong support for completion of this project.

The following **CPC general** criteria apply to this project:

- 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;
- Leverage additional public and/or private funds.

The following **Open space** criteria are applicable to this project:

- Provide opportunities for passive recreation and environmental education;
- Provide connections with existing trails or potential trail linkages;
- Preserve (or develop for recreation) a parcel identified in the 2009-2013 Open Space and Recreation Plan.

The following **Recreation** criteria are applicable to this project:

- 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;
- Promote the creative use of railway and other corridors to create safe and healthful non-motorized transportation opportunities.




Attachments:

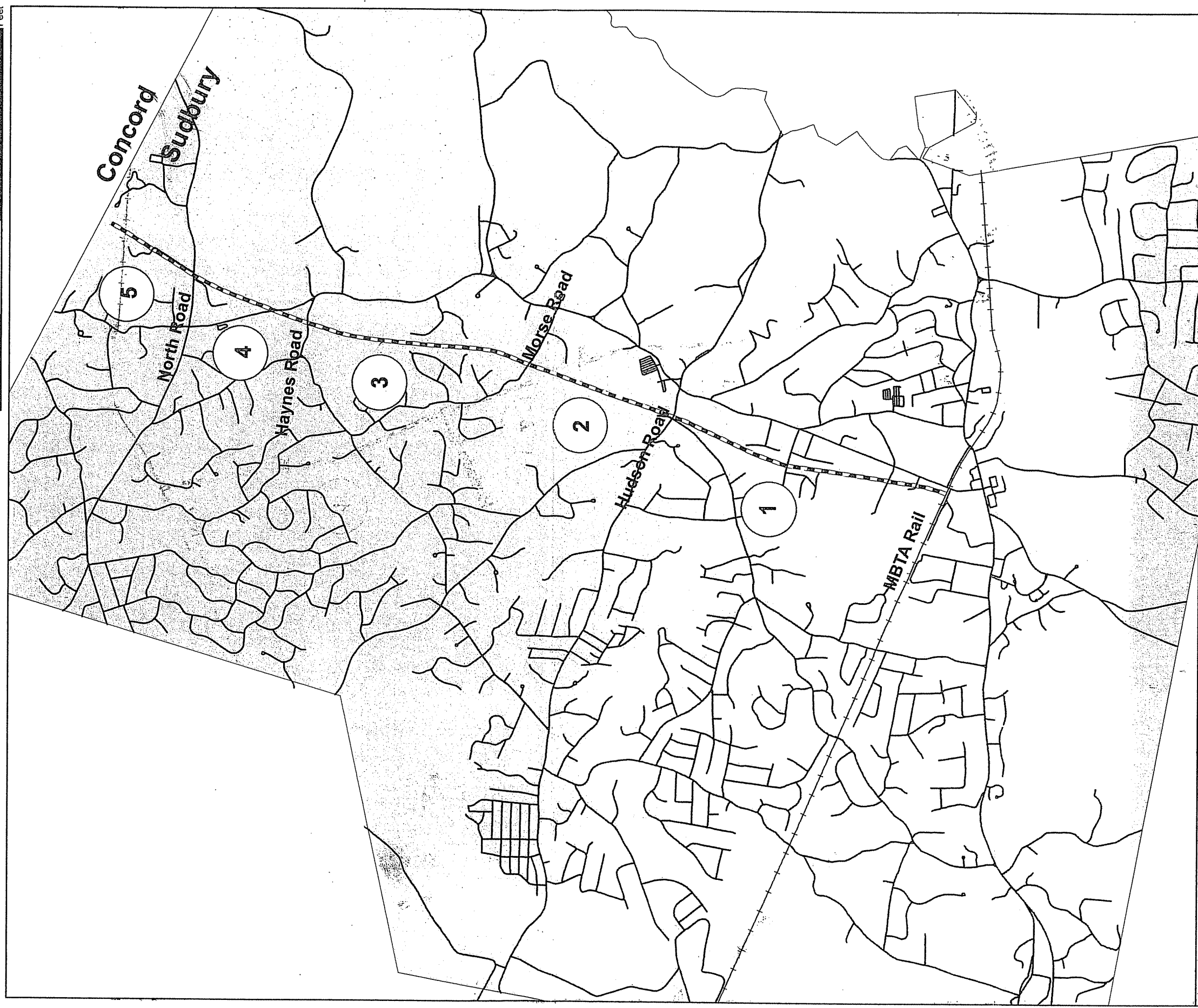
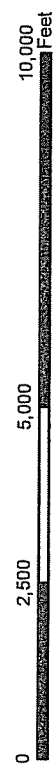
- Plan of corridor
- 2009 Town Meeting discussion
- 2012 Town Meeting discussion
- MA DOT Cross Section of Rail Trail

# BRUCE FREEMAN RAIL TRAIL

Town of Sudbury, Massachusetts  
April 2009

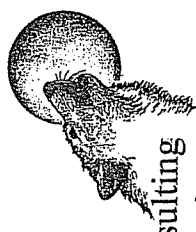
## Legend

-  Town of Sudbury
-  Bruce Freeman Rail Trail
-  Rail Trail Sections



Section  
Boundaries

## Wildlife Habitat Evaluation



Call of the Wild Consulting  
& Environmental Services

All GIS data from the Office of Geographic and Environmental Information (MassGIS) and the Natural Heritage & Endangered Species Program, Executive Office of Energy and Environmental Affairs, Commonwealth of Massachusetts.

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**ARTICLE 27 – COMMUNITY PRESERVATION FUND – AMEND ARTICLE 24  
OF THE 2007 ANNUAL TOWN MEETING - BRUCE FREEMAN RAIL TRAIL  
EXISTING CONDITIONS BASE MAP**

To see if the Town will vote to amend Article 24 of the 2007 Annual Town Meeting to utilize funds from that article, not to exceed \$25,000, to be used for the creation of a concept plan for the rail corridor, or act on anything relative thereto.

Submitted by the Community Preservation Committee. (Majority vote required)

**COMMUNITY PRESERVATION COMMITTEE REPORT:** Article 27 requests a reallocation of \$25,000 appropriated but not expended under Article 24 of the 2007 Town Meeting [Bruce Freeman Rail Trail: Existing Conditions Base Map]. This Article will allow current Town staff to engage technical consultants and pay incidental expenses, if needed, as they utilize information derived from rail trail studies conducted under 2007's Articles 22, 23 and 24, in order to produce a "concept plan" of the proposed rail trail. In this way, staff that is knowledgeable and sensitive to town character and environmental issues will be directly engaged in formulating ideas about what such a trail might look like and how it would be used and maintained. Such a plan will not have the reach— nor will it have the cost— of the state's required "25% design" plan. Such a plan would bring forward rail trail design issues and options, so that public discussion and consideration of whether to build such a trail in the future can be informed by graphic representations which are grounded in the technical information the Town has already paid to obtain.

Community Preservation Committee Chairman, Chris Morely *moved* in the words of the article.

The motion was seconded.

Sudbury Director of Planning and Community Development, Jody Kablack presented the article on behalf of the Town Manager. She explained that the request is for Town staff to develop a concept plan to further define the vision and status of the Bruce Freeman Rail Trail project in Sudbury. She noted that a re-allocation request asks that up to \$25,000 of leftover, previously- appropriated funds totaling \$53,000 from the base map survey contract work be used to pursue a concept plan for the corridor. Then the remaining will revert back into the Community Preservation Fund.

Ms. Kablack reviewed funding from previous Town Meetings related to this article.

At the Annual 2005 Town Meeting, an engineering feasibility study for \$25,000 was appropriated and completed. At the Annual 2007 Town Meeting, Article 24, \$145,000 was approved for title search work, which was completed; a

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four-season wildlife study, which has been documented pending a final report; and a base-line survey, which is nearly complete. In 2007, an engineering contract was also awarded for \$52,000. Since 2005, the Town has voted to spend \$170,000 on related items, which has indicated to Town officials that residents favor the idea of a safe rail trail, which will enhance Sudbury. Ms. Kablack stated that this article requests that funds of to \$25,000 be reallocated to support or acquire expertise, as needed, as internal staff review development options.

Ms. Kablack stated that Town staff will review data, propose solutions, and develop concept plans to be discussed with residents in public hearings and with relevant State agencies. Town officials propose that major design expenditures be deferred to a later date, when it can be better determined what type of trail is wanted and will be approved by the State. Ms. Kablack stated that this is a cost effective solution to pursue at this time and urged the Hall to support the article.

The Finance Committee recommended approval.

Selectman, Bill Keller stated that the Board of Selectmen also recommended approval.

James Negrelli, 51 Pennymeadow Road, asked if the public will be allowed to participate in the Town staff meetings.

Ms. Kablack responded that staff will advertise and conduct public meetings to engage public dialogue.

Mr. Negrelli questioned why money should be spent on any aspect of this project at this time, since being told that the likelihood for the requisite State and Federal funding is nil for the foreseeable future; given the current economic environment. He referenced the feasibility study, which estimated the cost for a five-foot, stone-dust trail at \$3M, and \$4M for a five-foot, paved trail. Mr. Negrelli noted that rail-trail research completed in Acton and Concord suggests a potential cost of \$2M per mile. He asked that, if there are no State or Federal funds available, would the Town consider, at any time in the future, funding on its own a rail trail for \$3-\$8M.

Mr. Negrelli noted that other similar opportunities exist for biking and walking trails in the area, such as the Assabet Wildlife Refuge, and an area of the Wayside Rail Trail, which was recently leased by the MBTA to the Department of Conservation and Recreation for free. He stated that when, and if, State or Federal funds ever do become likely to be available, the concept plans could be resumed at that time, without the need for expenditures now.

Board of Selectmen Chairman O'Brien responded that no proposal will be passed for a rail trail without being brought before a Town Meeting, and that ultimately the voters will decide what they want to fund. He stated that Town

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officials believe that this article is a prudent use of funds, to build upon the momentum of previous work, at a time when Town staff is available and able to devote attention to the issues.

Richard Williamson, 21 Pendleton Road, stated that towns usually design trails, and State and Federal funds are used to build them. Towns must present a 25% design to be considered for these funds, thus progress should be made towards that goal. Mr. Williamson stated that, even though the economy is difficult, funding was made available from Federal stimulus dollars for rail trail projects, which were at the required stages of development. He believes money is available for transportation-related projects now, and will be in the future.

Mr. Williamson further stated that Massachusetts will need to improve its allocation of funds for enhancement projects, such as non-motorized, shared-use paths, because it currently ranks near the lowest of the United States for utilization of these funds according to an article in the Boston Globe newspaper. He stated that a transportation bill is pending, which will require Massachusetts to spend 3% of the transportation funds it receives on shared-use trails. He supports the article as a prudent way to keep the process moving forward, even though he does not agree that a 25% design should be pursued at this time. He urged support of this article by the Hall.

Roger Nichols, 220 Old Lancaster Road, asked why \$25,000 needs to be spent to develop a design, when the trail could be designed according to the Massachusetts Highway specifications, without the need for this expenditure.

Ms. Kablack responded that the Massachusetts Highway specifications are of a greater design- specification magnitude, and would cost approximately \$200,000 to \$250,000 to engineer a ten to twelve-foot paved path, which, at this time, Town officials are not convinced is what would be desired environmentally or by Sudbury residents. Ms. Kablack further responded to Mr. Nichols that the article is meant to provide a mechanism to investigate many alternative options.

Pat Brown, 34 Whispering Pine Road, asked when the outstanding final reports related to previous rail trail appropriations from Article 23 and 24 of the 2007 ATM will be completed and available to the public.

Ms. Kablack responded that the wildlife study is almost done, and will be mailed to the Conservation Commission shortly, and it will be posted on the Town website. Ms. Kablack further stated that the base map survey is in the final stages of editing, and should be finalized in the next month. Due to the nature of the base map document, Ms. Kablack anticipates difficulty posting the final report on the Town website; however, Ms. Kablack noted that the final base map survey would be made available to the public at the Town Engineering Office.

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Ms. Brown also asked when Town staff anticipates including the public in its concept process.

Ms. Kablack responded that a timeline has not yet been determined. However, she stated that Town staff could possibly commence work this summer, and conduct public meetings in the fall.

Dan DePompei, 35 Haynes Road, opined that he believes there will be a lot of competition from several communities for transportation-related funding and that obtaining funds may not be as easy as suggested by Mr. Williamson. He stated that Sudbury's portion of the rail trail has not been designated as a priority locale, and he believes State or Federal funding could be ten years away, at a minimum.

Greg Hamill, 16 Pine Street, stated that, at the Annual 2007 Town Meeting, attendees were assured that the Town would not present a future request for additional funds until the three articles approved in 2007 were completed and made available to the public for review.

Ms. Kablack responded that the articles have been completed to a certain degree and those final reports should be released within the next month.

The Moderator asked for a show of hands of those in favor of the motion, then those opposed.

The motion under Article 27 was VOTED; it passed by well more than a majority vote.

ARTICLE 28 – COMMUNITY PRESERVATION FUND – AMEND ARTICLE 41  
OF THE 2006 ANNUAL TOWN MEETING - HEARSE HOUSE RELOCATION  
AND RESTORATION - EXTEND TIME FOR PROJECT COMPLETION -  
Consent Calendar

To see if the Town will vote to amend Article 41 of the 2006 Annual Town Meeting by extending the time for completion of the project from the end of Fiscal Year 2008 to the end of Fiscal Year 2010, or act on anything relative thereto.

Submitted by the Community Preservation Committee (Majority vote required)

The motion under Article 28 was UNANIMOUSLY VOTED on the Consent Calendar.

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**ARTICLE 35 – RESOLUTION (NON-BINDING) RAIL TRAIL – HALF MILE PORTION, CONCORD TOWN LINE TO RT. 117 (North Road)**

Submitted by the Board of Selectmen (A vote under this article is only as a non-binding resolution)

The Moderator stated that Articles 34 and 35 are non-binding resolutions. He explained a presenter will provide an argument for the article, and another presenter will provide an argument in opposition. The Moderator stated that there is no public discussion for resolutions, each resolution would be voted separately, and that no head counts are taken.

**FINANCE COMMITTEE:** The Moderator stated that the Finance Committee took no position on the articles.

**BOARD OF SELECTMEN:** The Moderator stated that the Board of Selectmen took no position on the articles, since they are only advisory, non-binding resolutions.

Dick Williamson, 21 Pendleton Road, spoke on behalf of the over 2000 residents who voted in support of a rail trail on the recent Town Ballot. He explained that Article 34 could be important for Sudbury, and that it relates to an entire rail trail. Slides were exhibited of rail trail construction completed to date in other communities. Mr. Williamson stated that other towns have built the trail according to Massachusetts Department of Transportation (DOT) standards in order to qualify for State funding. He stated that Sudbury residents are sensitive to the environmental conditions which would be encountered, and it was noted that terminus parking is an issue. Mr. Williamson described a section of the regional rail trail to begin in 2014, and he noted that Concord is working on its final design stage.

Mr. Williamson then explained Article 35, stating it addresses the first half-mile of a rail trail in Sudbury. He described the location off of Route 117, stating parking would be at Davis Field, and a traffic signal would be added to Route 117. Mr. Williamson explained that this section should be designed according to MassDOT standards and that it would result in no costs for Sudbury.

The Moderator asked for a vote to permit Mr. Williamson additional time for his presentation, and it was so VOTED.

Mr. Williamson explained ownership of the trails. He stated that it is time for Sudbury to “get going” on this project, and that the Town could approach it in a way that only the project design would require CPA funds.

Pat Brown, 34 Whispering Pine Road, has been a member of the Rail Trail Conversion Advisory Committee for several years, and she has served as its Chair since 2006. She urged defeat of Articles 34 and 35. Ms. Brown stated that she believes Sudbury should create a recreational trail, but she believes the Hall should not vote for these articles



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which would sanction a MassDOT standard road to be constructed through Sudbury's woods so that the Town could avail itself of State funding.

Ms. Brown stated that there are numerous issues which must be decided by the Town before entering into a design phase. She noted that there is no legal access at the proposed southern terminus, and there are seven large farms along the proposed right of way which could be greatly impacted by the construction of a trail. Ms. Brown stated that if any of these properties were to be sold to residential developers because of a pending trail, the long-lasting negative consequences for financial revenue to the Town would far outweigh the costs to construct a rail trail.

Ms. Brown also highlighted the significant wetlands and wildlife issues which could not be mitigated. She further stated that Town staff would need to be pulled from other projects and day-to-day responsibilities to work with the MassDOT for decades in order to bring funding for this project to fruition. Ms. Brown urged the Hall to vote no to a MassDOT designed rail trail as proposed in Article 34.

Ms. Brown described Article 35 as offering to design a half-mile trail extension from Concord's border on Route 117 into Sudbury. She explained that this is as a result of an offer made by the Friends of the Bruce Freeman Rail Trail to raise \$50,000 for a MassDOT 25% Design.

Ms. Brown emphasized that this proposal brings Concord's trail parking problem to Sudbury, since Concord has refused to provide parking at this location. She stated that Sudbury risks losing control of what is eventually built for a trail in Sudbury by embarking on a 25% Design. Ms. Brown opined that this could be perceived by MassDOT as legitimizing the project and that the Right of Way is owned by the Commonwealth, enabling MassDOT to proceed with a trail extension without the consent of Sudbury voters.

Ms. Brown further emphasized that Sudbury should not permit the Friends of the Bruce Freeman Rail Trail, an outside advocacy group, to have undue influence on the Town. While the Friends are "effective" and "highly enthusiastic," she noted that they do not represent Sudbury. Ms. Brown cautioned that, if the Town accepts funds from the Friends, then it is also accepting a MassDOT design. She noted that the Friends are advocating for their own priorities, which are not necessarily the same ones which should drive Sudbury's project. Ms. Brown stated that the Town must prioritize many projects and multiple demands. In order for Sudbury to design and build its own trail, which is appropriate to local conditions and values, she urged the Hall to vote no on Articles 34 and 35.

The motion for Article 34 was VOTED overwhelmingly.

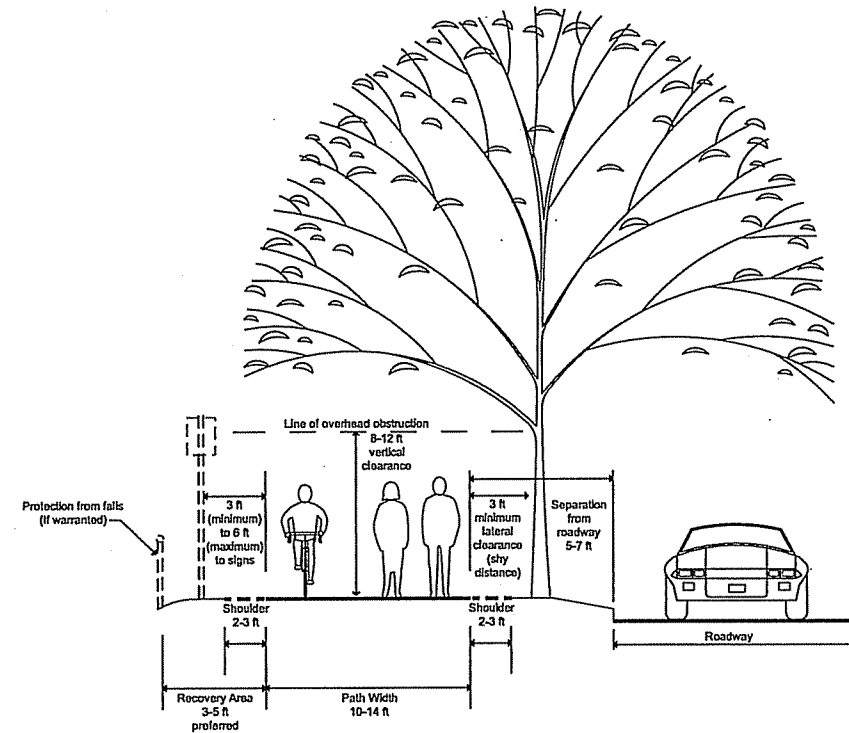
The motion for Article 35 was VOTED by more than a majority.

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There being no further business, a motion was received and seconded to dissolve the Town Meeting. The motion was VOTED.

The 2012 Annual Town Meeting was dissolved at 10:38 p.m.

Exhibit 11-2  
Shared Use Path Dimensions



Source: Adapted from the VTrans Pedestrian and Bicycle Facility Planning and Design Manual

**Separation Between Shared Use Paths and Roadways**

Shared use paths are not a substitute for street improvements, even if there is sufficient space to locate the path adjacent to the roadway. Some operational problems with paths adjacent to roads are:

- Bicyclists will be riding against the normal flow of traffic, contrary to the rules of the road. When a path ends, bicyclists riding against traffic may continue riding on the wrong side of the street.
- At intersections, motorists entering or crossing the roadway often do not notice bicyclists approaching from the right, as they are not expecting any traffic from that direction.
- Barriers used to separate motor vehicle traffic from path users can obstruct sight lines along both facilities and can reduce access to and across the path.
- Snow plowed from the adjacent roadway can obstruct the path.