



Deval L. Patrick, Governor  
Richard A. Davey, Secretary & CEO



May 1, 2014

**Subject: SUDBURY – Bruce Freeman Rail Trail**

Mr. Leonard A. Simon  
Sudbury Board of Selectman  
Flynn Building  
278 Old Sudbury Road  
Sudbury, MA 01776

Dear Mr. Simon:

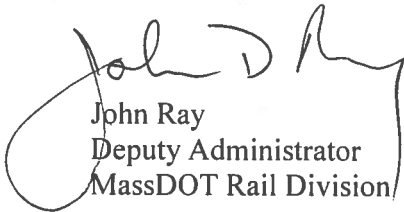
Per the request of Senator Michael Barrett and Senator Jamie Eldridge we have prepared this letter to provide guidance regarding the Commonwealth's common practices toward allowing a Municipality to use DOT Right of Way for a Bike Path, specifically within the area known as the "Bruce Freeman Rail Trail" in Sudbury.

The following items summarize these practices

- Any agreement with the Town will include the provision that MassDOT will need to retain the "joint bars" that connect each rail to the next. These 107# joint bars are in use throughout the Commonwealth and are in extremely short supply. During the removal of the track the joint bars must be protected from damage and theft. The contractor engaged to remove the track must sort out the joint bars from the other track components and place them in a safe location until a MassDOT crew picks them up.
- The steel that makes up much of a rail line that is no longer in service has a significant value as scrap steel. Depending on the current value of #1 steel, the scrap value received for the rail will usually cover the cost of the proper retrieval, transportation and disposal of the old wooden ties that support the rails. MassDOT requires that ALL wooden ties must be removed from the rail line and incinerated at an approved facility. The remaining funds obtained by scrapping the steel components are required to be used to defray some of the cost of paving and landscaping the path.

Please keep in mind that while MassDOT does not require a specific type of trail construction, there are MassDEP best practices that pertain to the construction of a trail on railroad property. Railroad lines are likely to have certain types of contaminants that in most cases can be left in place, provided the trail users are separated from the soils that were immediately adjacent to the removed tracks. The disturbance of the soils when removing the track components would make it unacceptable to just open the alignment for use by families or others not aware of the soil condition.

Sincerely



John Ray  
Deputy Administrator  
MassDOT Rail Division

CC

Senator Michael Barrett  
Senator Jamie Eldridge  
Josh Basseches  
Michael Carr