

## BRUCE FREEMAN RAIL TRAIL

### RIGHT OF WAY REVIEW FOR TOWN-OWNED PROPERTIES

As part of the Bruce Freeman Rail Trail project in Sudbury (MassDOT Project # 608164), there are three recreational areas and one conservation area owned by the Town of Sudbury that will be used for temporary and/or permanent project-associated purposes. The four Town-owned properties are identified in the following materials. The Section 4(f) Process, administered by the Federal Highway Authority (FHWA) in association with the Massachusetts Department of Transportation (MassDOT), applies to these properties because these MassDOT and FHWA are funding the construction of the project. The project construction is covered by an approximately \$12.5 allocation from the Boston Metropolitan Planning Organization (MPO). More background on 4(f) is provided below, while the information on each Town-owned area / 4(f) resource is on the following pages.

#### Section 4(f) at a Glance

(from: <https://www.environment.fhwa.dot.gov/legislation/section4f/4fAtGlance.aspx>)

**What is Section 4(f)?** Section 4(f) refers to the original section within the U.S. Department of Transportation Act of 1966 which established the requirement for consideration of park and recreational lands, wildlife and waterfowl refuges, and historic sites in transportation project development. The law, now codified in 49 U.S.C. §303 and 23 U.S.C. §138, is implemented by the Federal Highway Administration (FHWA) through the regulation 23 CFR 774.

**When does Section 4(f) apply?** Section 4(f) applies to projects that receive funding from or require approval by an agency of the U.S. Department of Transportation. Section 4(f) is considered by many to be a complex law.

**What does Section 4(f) require?** Before approving a project that uses Section 4(f) property, FHWA must either (1) determine that the impacts are *de minimis* (see discussion below), or (2) undertake a Section 4(f) Evaluation. If the Section 4(f) Evaluation identifies a feasible and prudent alternative that completely avoids Section 4(f) properties, it must be selected. If there is no feasible and prudent alternative that avoids all Section 4(f) properties, FHWA has some discretion in selecting the alternative that causes the least overall harm (see discussion below). FHWA must also find that all possible planning to minimize harm to the Section 4(f) property has occurred.

**What are Section 4(f) properties?** Section 4(f) properties include publicly owned public parks, recreation areas, and wildlife or waterfowl refuges, or any publicly or privately owned historic site listed or eligible for listing on the National Register of Historic Places.

**What is a use?** Use of a Section 4(f) property occurs: (1) when land is permanently incorporated into a transportation facility; or (2) when there is a temporary occupancy of land that is adverse in terms of the statute's preservation purpose; or (3) when there is a constructive use (a project's proximity impacts are so severe that the protected activities, features, or attributes of a property are substantially impaired). The regulation lists various exceptions and limitations applicable to this general definition.

More information is provided in the Section 4(f) Policy Paper found at <https://www.environment.fhwa.dot.gov/legislation/section4f/4fpolicy.aspx>.

## BROADACRES FARM, MORSE ROAD

Identified on the plans as **PE-1** (Permanent Easement 1)

### Project Information Table

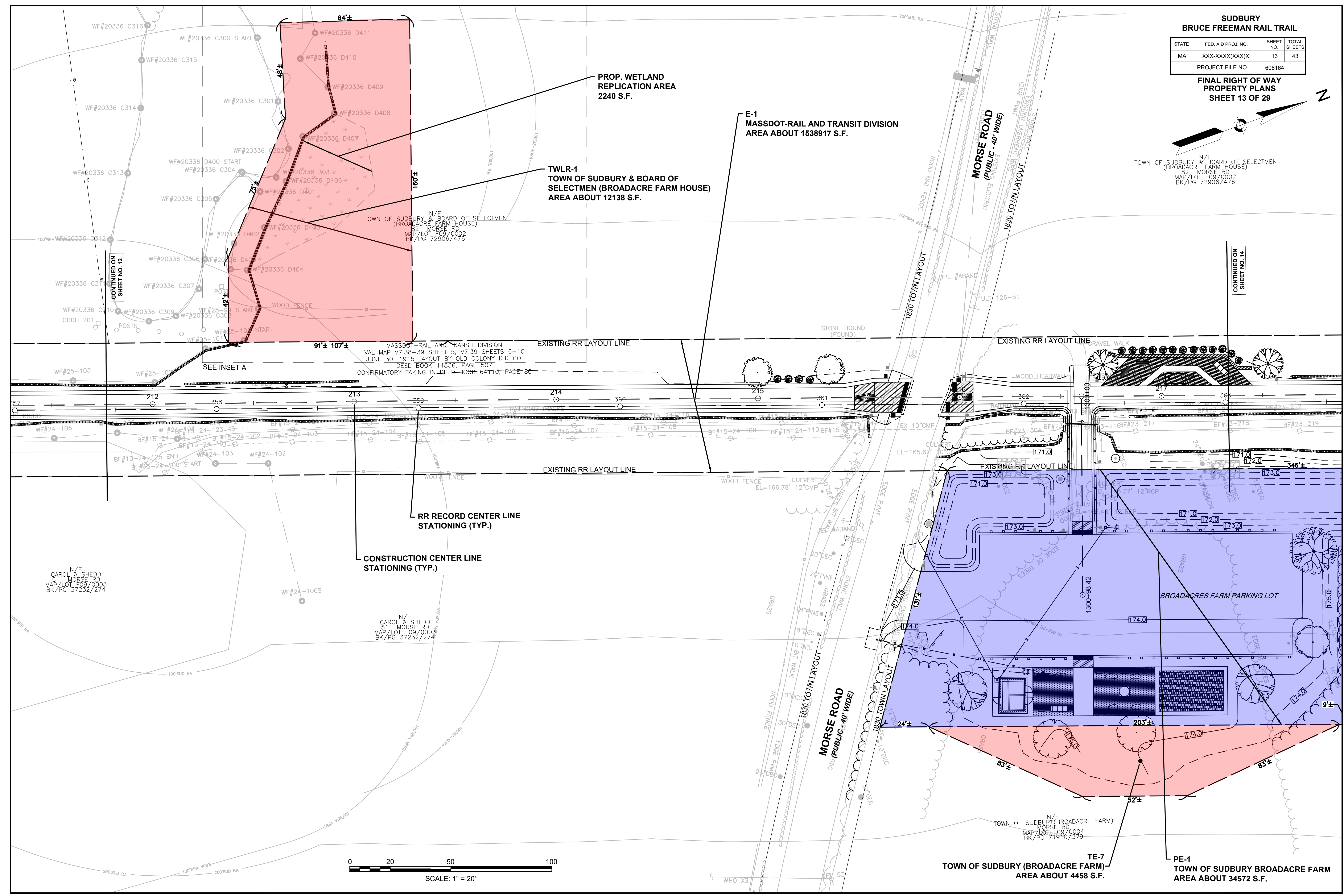
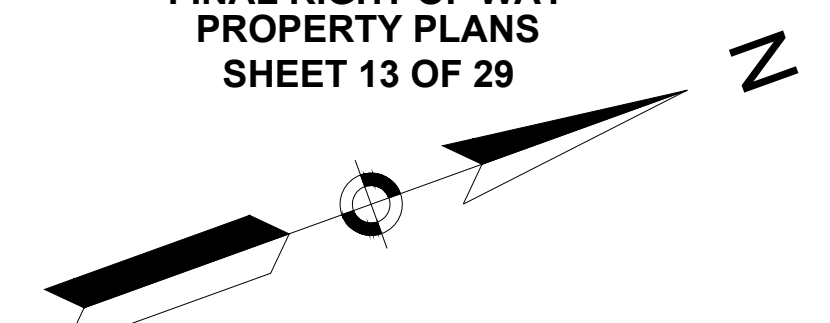
<b>Project Proponent:</b>	MassDOT Highway Division
<b>Project Name:</b>	SUDBURY- CONCORD- BIKE PATH CONSTRUCTION (BRUCE FREEMAN RAIL TRAIL)
<b>Project Location:</b>	MassDOT Rail Division ROW (Formerly Old Colony R.R.)
<b>Project Description:</b>	<p>This project consists of a new segment of The Bruce Freeman Rail Trail (BFRT) in the Town of Sudbury, Massachusetts. The project is proposed to be constructed in a single phase as a 4.4-mile individual segment of an envisioned 25-mile shared-use recreational rail trail between Lowell and Framingham, Massachusetts along the former Lowell Secondary Track right-of-way of Old Colony Rail Road. At present, approximately 12 miles of The BFRT has been constructed in the municipalities of Lowell, Chelmsford, Westford, Carlisle, Acton, and Concord.</p> <p>The trail will be a paved 10' wide path serving non-motorized users of all abilities built for the purposes of providing safety for users and reducing traffic congestion on overtaxed roadways. The project will connect existing public open space areas and local points of interests including Sudbury Town Center and Featherland Park Recreation area. The project is also identified as Phase 2D of the BFRT and as MassDOT Project #608164.</p>
<b>Section 4(f) Resource:</b>	Broadacres Farm
<b>Type of Section 4(f) Resource:</b>	Recreation Area
<b>Official with Jurisdiction:</b>	Town of Sudbury – Park and Recreation Commission
<b>Impacts to Section 4(f) Resource:</b>	(1) permanent easement labeled as PE-1 - totaling approximately 34,572 square feet - as shown in the attached construction plans - are required to allow the installation and maintenance of a new 32 space paved parking area with amenities for trail users as well as users of future recreational installations, which may include recreational fields, adjacent to the existing Featherland Park, according to Town planning initiatives.
<b>Measures to Minimize Harm to Section 4(f) Resource:</b>	Per FHWA's Section 4(f) policy paper, a de minimis impact determination takes into account all avoidance, minimization, mitigation, or enhancement measures. The proposed design is consistent with planning initiatives for Broadacres Farm adjacent to Featherland Park which anticipated a proposed parking facility in the same geographic area and orientation as the subject MassDOT project. The design also includes stormwater mitigation measures to minimize impacts to drainage patterns that may affect the future use of the park. Erosion controls will be in place around the entire limits of work in the park for the duration of the project. Tree plantings are proposed to provide new areas of public shade and enjoyment where none currently exist. The parking lot has also been designed to accommodate future expansion (per request of Town Parks Department) should there be an increase in demand due to additional future recreational uses.

**SUDBURY  
BRUCE FREEMAN RAIL TRAIL**

STATE	FED. AID PROJ. NO.	SHEET NO.	TOTAL SHEETS
MA	XXX-XXX(XXX)X	13	43
PROJECT FILE NO.		608164	

**FINAL RIGHT OF WAY  
PROPERTY PLANS  
SHEET 13 OF 29**

TOWN OF SUDBURY & BOARD OF SELECTMEN  
(BROADACRE FARM HOUSE)  
82 MORSE RD  
MAP/LOT F09/0002  
BK/PG 72906/476



**PROP. WETLAND  
REPLICATION AREA  
2240 S.F.**

**E-1  
MASSDOT-RAIL AND TRANSIT DIVISION  
AREA ABOUT 1538917 S.F.**

**TWLR-1  
TOWN OF SUDBURY & BOARD OF  
SELECTMEN (BROADACRE FARM HOUSE)  
AREA ABOUT 12138 S.F.**

EXISTING RR LAYOUT LINE

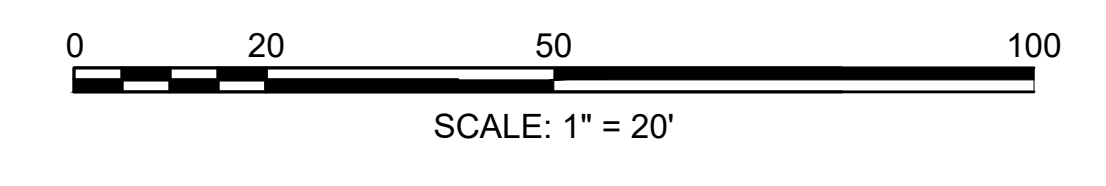
EXISTING RR LAYOUT LINE

**RR RECORD CENTER LINE  
STATIONING (TYP.)**

**CONSTRUCTION CENTER LINE  
STATIONING (TYP.)**

**TE-7  
TOWN OF SUDBURY (BROADACRE FARM)  
AREA ABOUT 4458 S.F.**

**PE-1  
TOWN OF SUDBURY BROADACRE FARM  
AREA ABOUT 34572 S.F.**



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SHEET NO. 12

CONTINUED ON  
SHEET NO. 14

SEE INSET A

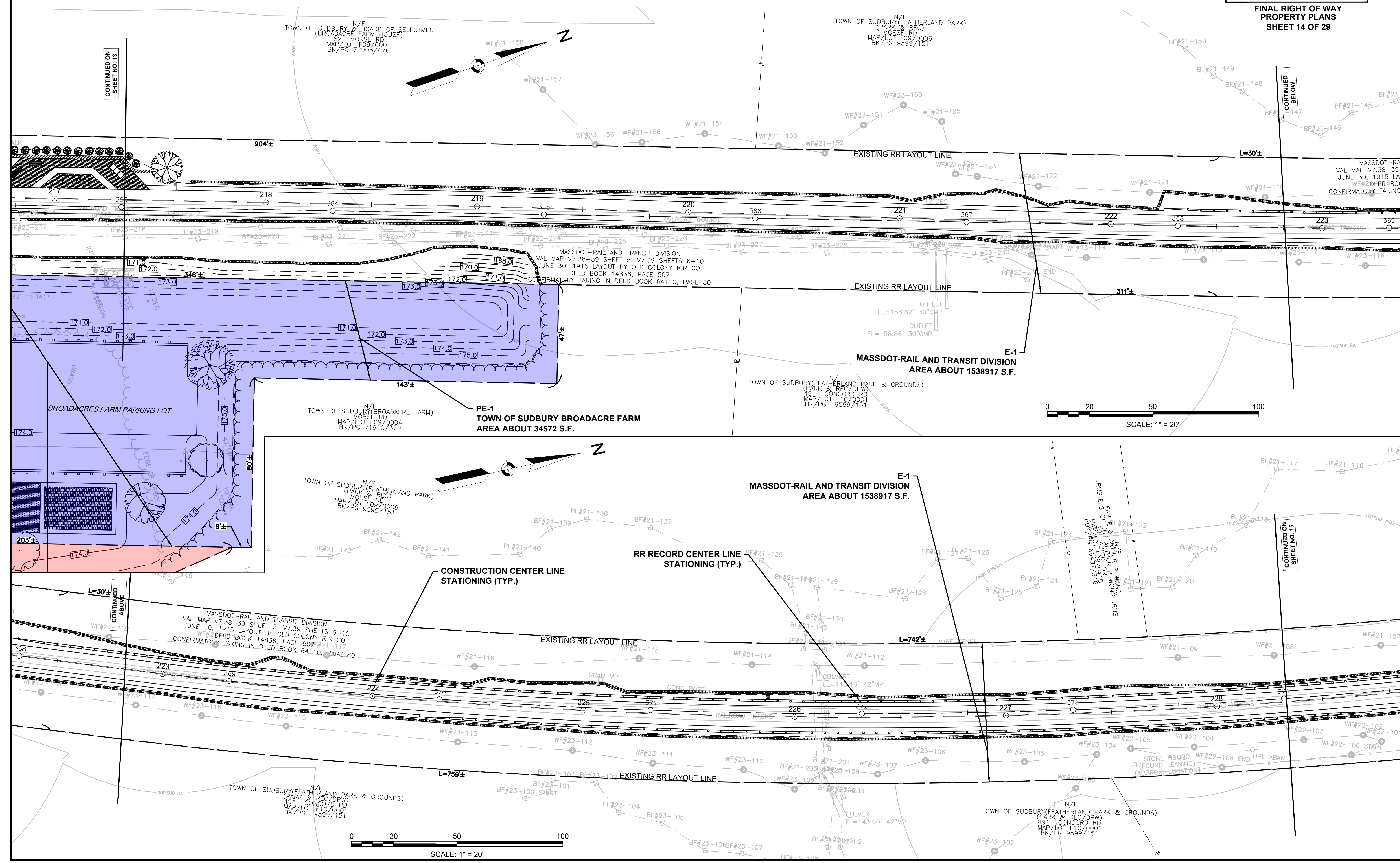
MASSDOT-RAIL AND TRANSIT DIVISION  
VAL MAP V7.38-39 SHEET 5, V7.39 SHEETS 6-10  
JUNE 30, 1915 LAYOUT BY OLD COLONY R.R. CO.  
DEED BOOK 14836, PAGE 507  
CONFIRMATORY TAKING IN DEED BOOK 81110, PAGE 80

N/F  
CAROL A. SHEDD  
51 MORSE RD  
MAP/LOT F09/0003  
BK/PG 37232/274

N/F  
CAROL A. SHEDD  
51 MORSE RD  
MAP/LOT F09/0003  
BK/PG 37232/274

SUDBURY BRUCE FREEMAN RAIL TRAIL			
STATE	FED. AID PROJ. NO.	SHEET NO.	TOTAL SHEETS
MA	XXX-XXX(XXX)X	14	43
PROJECT FILE NO.		608164	

**FINAL RIGHT OF WAY  
PROPERTY PLANS  
SHEET 14 OF 29**



CONTINUED ON  
SHEET NO. 13

CONTINUED  
BELOW

CONTINUED ON  
SHEET NO. 15

## PARKINSON FIELD, OFF HUDSON ROAD

Identified on the plans as **BP-1** (Bike Path Permanent Easement 1)

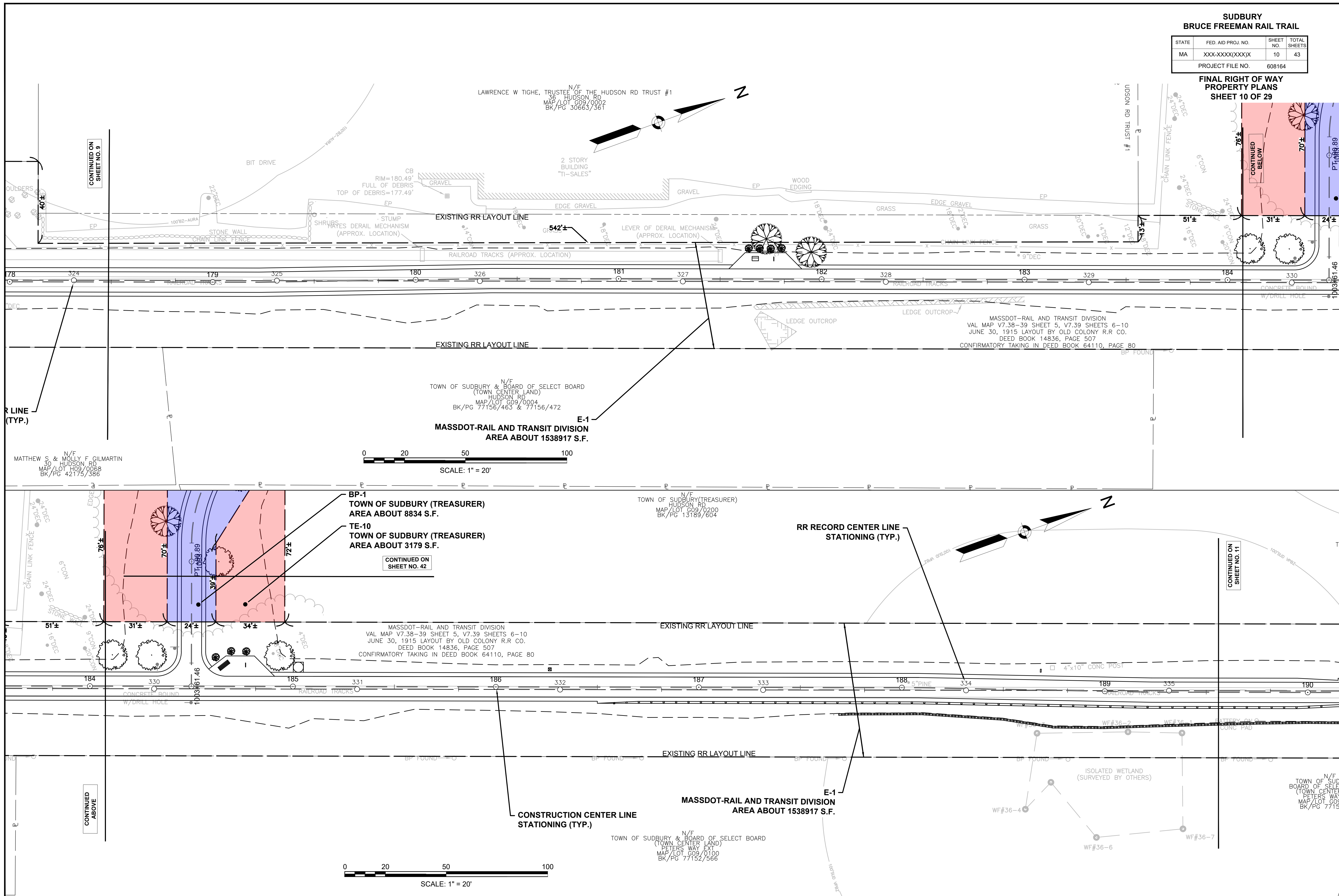
### Project Information Table

<b>Project Proponent:</b>	MassDOT Highway Division
<b>Project Name:</b>	SUDBURY- CONCORD- BIKE PATH CONSTRUCTION (BRUCE FREEMAN RAIL TRAIL)
<b>Project Location:</b>	MassDOT Rail Division ROW (Formerly Old Colony R.R.)
<b>Project Description:</b>	<p>This project consists of a new segment of The Bruce Freeman Rail Trail (BFRT) in the Town of Sudbury, Massachusetts. The project is proposed to be constructed in a single phase as a 4.4-mile individual segment of an envisioned 25-mile shared-use recreational rail trail between Lowell and Framingham, Massachusetts along the former Lowell Secondary Track right-of-way of Old Colony Rail Road. At present, approximately 12 miles of The BFRT has been constructed in the municipalities of Lowell, Chelmsford, Westford, Carlisle, Acton, and Concord.</p> <p>The trail will be a paved 10' wide path serving non-motorized users of all abilities built for the purposes of providing safety for users and reducing traffic congestion on overtaxed roadways. The project will connect existing public open space areas and local points of interests including Sudbury Town Center and Featherland Park Recreation area. The project is also identified as Phase 2D of the BFRT and as MassDOT Project #608164.</p>
<b>Section 4(f) Resource:</b>	Parkinson Land
<b>Type of Section 4(f) Resource:</b>	Recreational Land
<b>Official with Jurisdiction:</b>	Town of Sudbury – Treasurer
<b>Impacts to Section 4(f) Resource:</b>	(1) permanent easement labeled as BP-1 - totaling approximately 8,834 square feet - as shown in the attached construction plans - are required to allow the installation and maintenance of a new 10-foot paved shared use access path with amenities for trail users. The access path will allow trail users to park at the existing gravel parking lot located at the Parkinson parcel behind TI-Sales and have access to the Bruce Freeman Rail Trail
<b>Measures to Minimize Harm to Section 4(f) Resource:</b>	Per FHWA's Section 4(f) policy paper, a de minimis impact determination takes into account all avoidance, minimization, mitigation, or enhancement measures. The proposed path was designed to be adjacent to the existing tree line to create an aesthetically pleasing connection to the Bruce Freeman Rail Trail. The chosen location is also intended to minimize encroachment into the current open fields which are used for a variety of recreational activities. The new path will not affect current use of the fields. Tree plantings are also proposed along the access path to provide new areas of public shade and enjoyment where none currently exist.

**SUDBURY  
BRUCE FREEMAN RAIL TRAIL**

STATE	FED. AID PROJ. NO.	SHEET NO.	TOTAL SHEETS
MA	XXX-XXXX(XXX)X	10	43
PROJECT FILE NO.		608164	

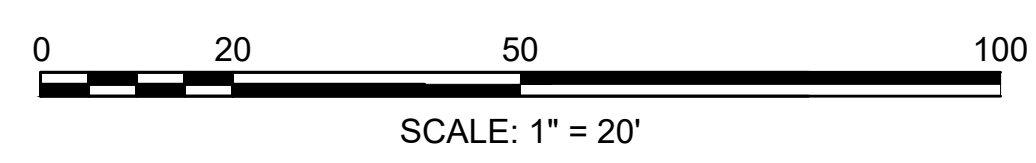
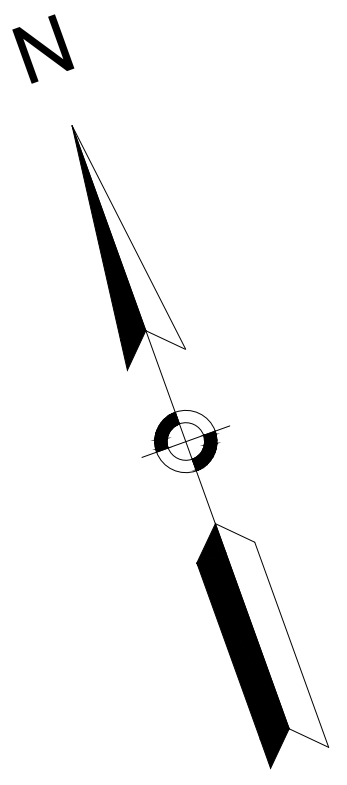
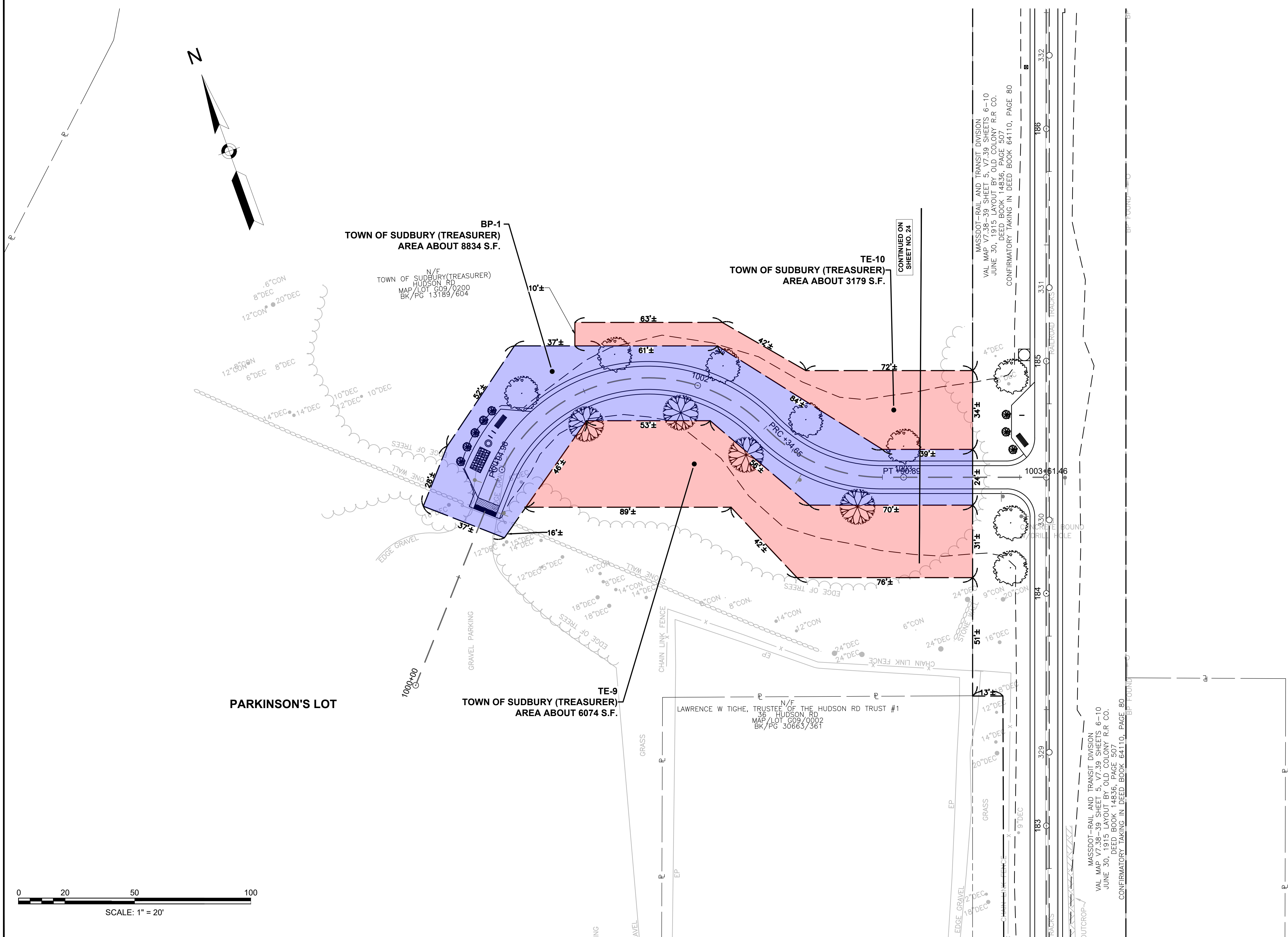
**FINAL RIGHT OF WAY  
PROPERTY PLANS  
SHEET 10 OF 29**



**SUDBURY  
BRUCE FREEMAN RAIL TRAIL**

STATE	FED. AID PROJ. NO.	SHEET NO.	TOTAL SHEETS
MA	XXX-XXXX(XXX)X	28	43
PROJECT FILE NO.		608164	

**FINAL RIGHT OF WAY  
PROPERTY PLANS  
SHEET 28 OF 29**



## DAVIS FARM, NORTH ROAD

Identified on the plans as **BP-2** (Bike Path Permanent Easement 2)

### Project Information Table

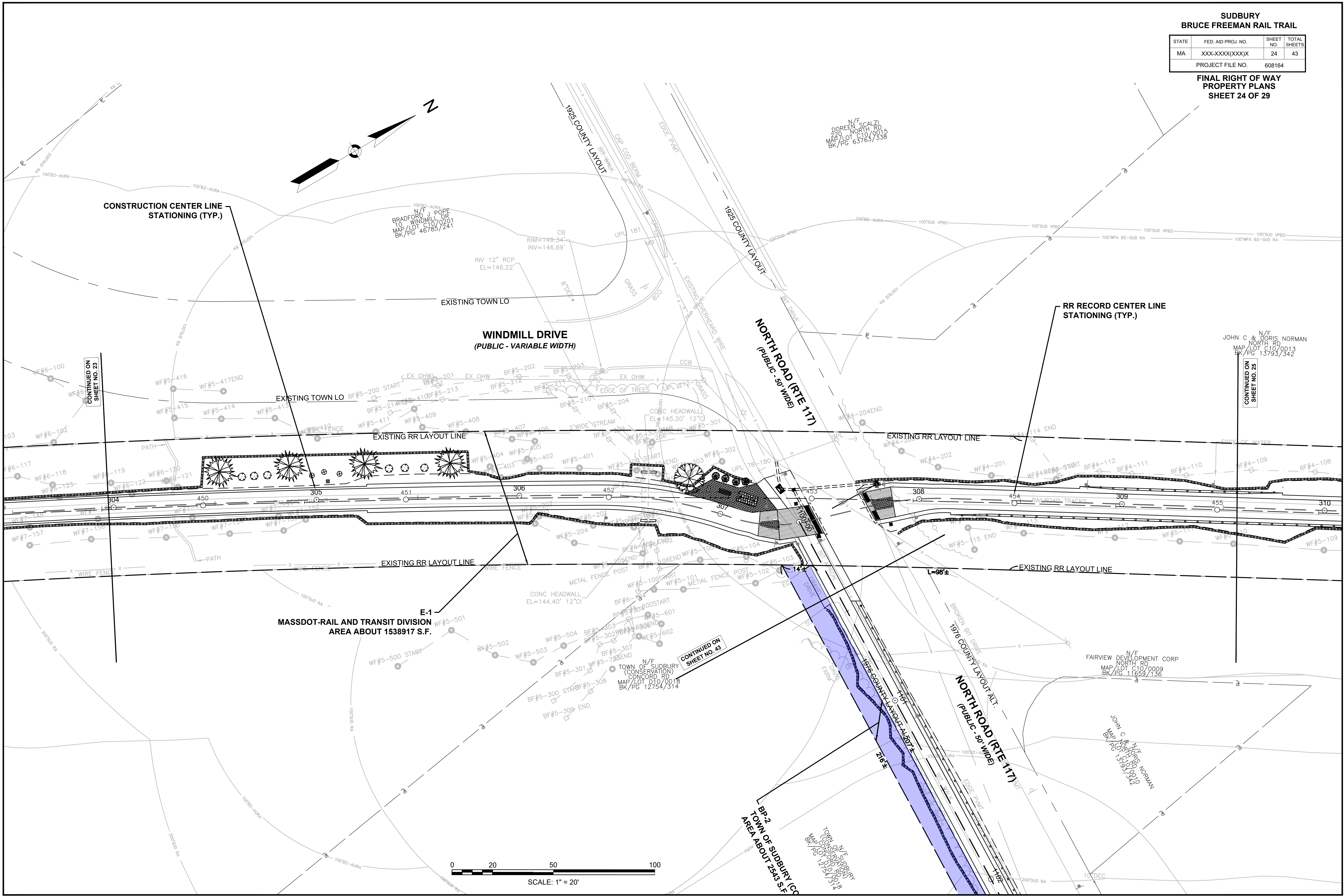
<b>Project Proponent:</b>	MassDOT Highway Division
<b>Project Name:</b>	SUDBURY- CONCORD- BIKE PATH CONSTRUCTION (BRUCE FREEMAN RAIL TRAIL)
<b>Project Location:</b>	MassDOT Rail Division ROW (Formerly Old Colony R.R.)
<b>Project Description:</b>	<p>This project consists of a new segment of The Bruce Freeman Rail Trail (BFRT) in the Town of Sudbury, Massachusetts. The project is proposed to be constructed in a single phase as a 4.4-mile individual segment of an envisioned 25-mile shared-use recreational rail trail between Lowell and Framingham, Massachusetts along the former Lowell Secondary Track right-of-way of Old Colony Rail Road. At present, approximately 12 miles of The BFRT has been constructed in the municipalities of Lowell, Chelmsford, Westford, Carlisle, Acton, and Concord.</p> <p>The trail will be a paved 10' wide path serving non-motorized users of all abilities built for the purposes of providing safety for users and reducing traffic congestion on overtaxed roadways. The project will connect existing public open space areas and local points of interests including Sudbury Town Center and Featherland Park Recreation area. The project is also identified as Phase 2D of the BFRT and as MassDOT Project #608164.</p>
<b>Section 4(f) Resource:</b>	Davis Farm
<b>Type of Section 4(f) Resource:</b>	Conservation Land
<b>Official with Jurisdiction:</b>	Town of Sudbury – Conservation
<b>Impacts to Section 4(f) Resource:</b>	(1) permanent easement labeled as BP-2 - totaling approximately 2,543 square feet - as shown in the attached construction plans - are required to allow the installation and maintenance of a new 8-foot paved shared use access path that will allow trail users to park at the existing gravel parking lot located at Davis Field and provide access to the Bruce Freeman Rail Trail along North Road (Rt. 117).
<b>Measures to Minimize Harm to Section 4(f) Resource:</b>	Per FHWA's Section 4(f) policy paper, a de minimis impact determination considers all avoidance, minimization, mitigation, or enhancement measures. The proposed construction will widen the existing variable width asphalt sidewalk by 3-4' within the existing footprint of the roadway side slope path. The path was designed to be adjacent to North Road with minimal impacts to existing utilities also allowing the existing tree line to be retained. Erosion controls will be in place along the tree line for the duration of the project.



**SUDBURY  
BRUCE FREEMAN RAIL TRAIL**

STATE	FED. AID PROJ. NO.	SHEET NO.	TOTAL SHEETS
MA	XXX-XXXX(XXX)X	24	43
PROJECT FILE NO.		608164	

**FINAL RIGHT OF WAY  
PROPERTY PLANS  
SHEET 24 OF 29**



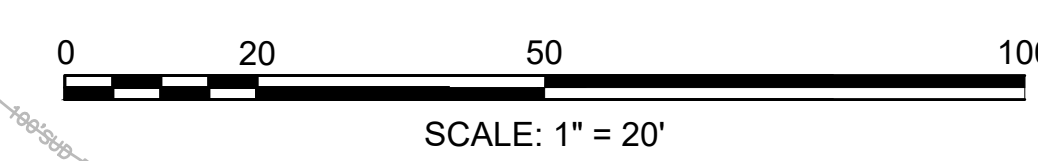
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SHEET NO. 23

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SHEET NO. 25

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SHEET NO. 43

**MASSDOT-RAIL AND TRANSIT DIVISION  
AREA ABOUT 1538917 S.F.**

**TOWN OF SUDBURY  
CONCORD RD  
AREA ABOUT 2543 S.F.**



N/F SCALZI  
220 NORTH RD  
MAP/LOT C10/0015  
BK/PG 63763/538

N/F POPE  
10 WINDMILL DR  
MAP/LOT C10/0201  
BK/PG 46760/241

N/F JOHN C & DORIS NORMAN  
NORTH RD  
MAP/LOT C10/0013  
BK/PG 13793/342

N/F FAIRVIEW DEVELOPMENT CORP  
NORTH RD  
MAP/LOT C10/0009  
BK/PG 11659/136

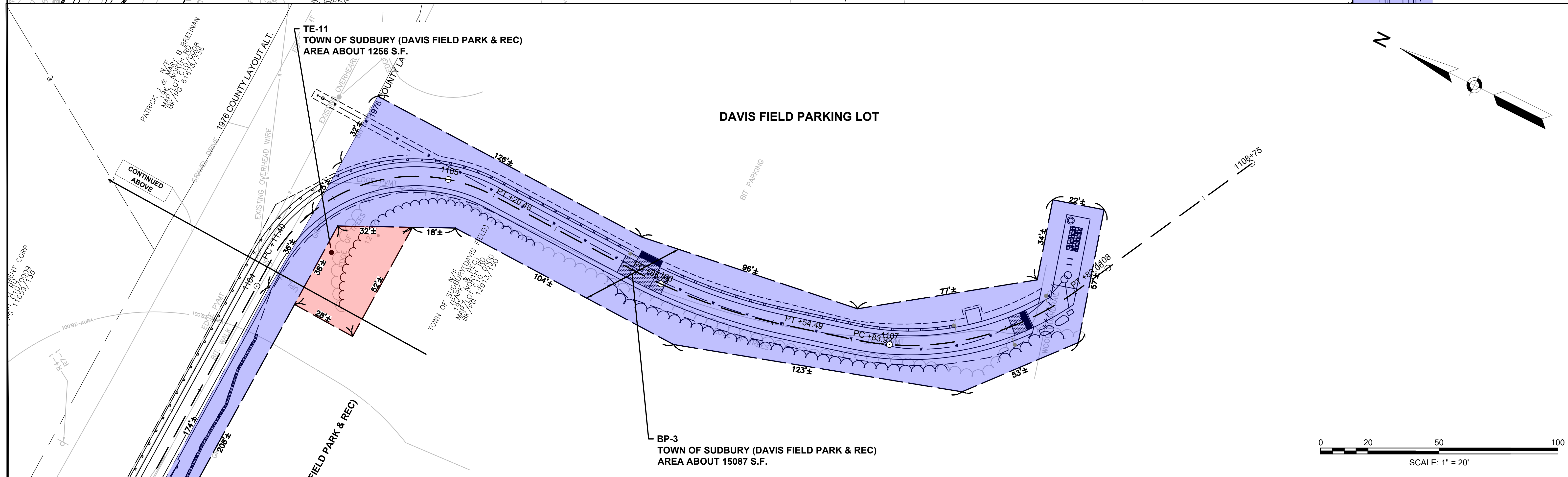
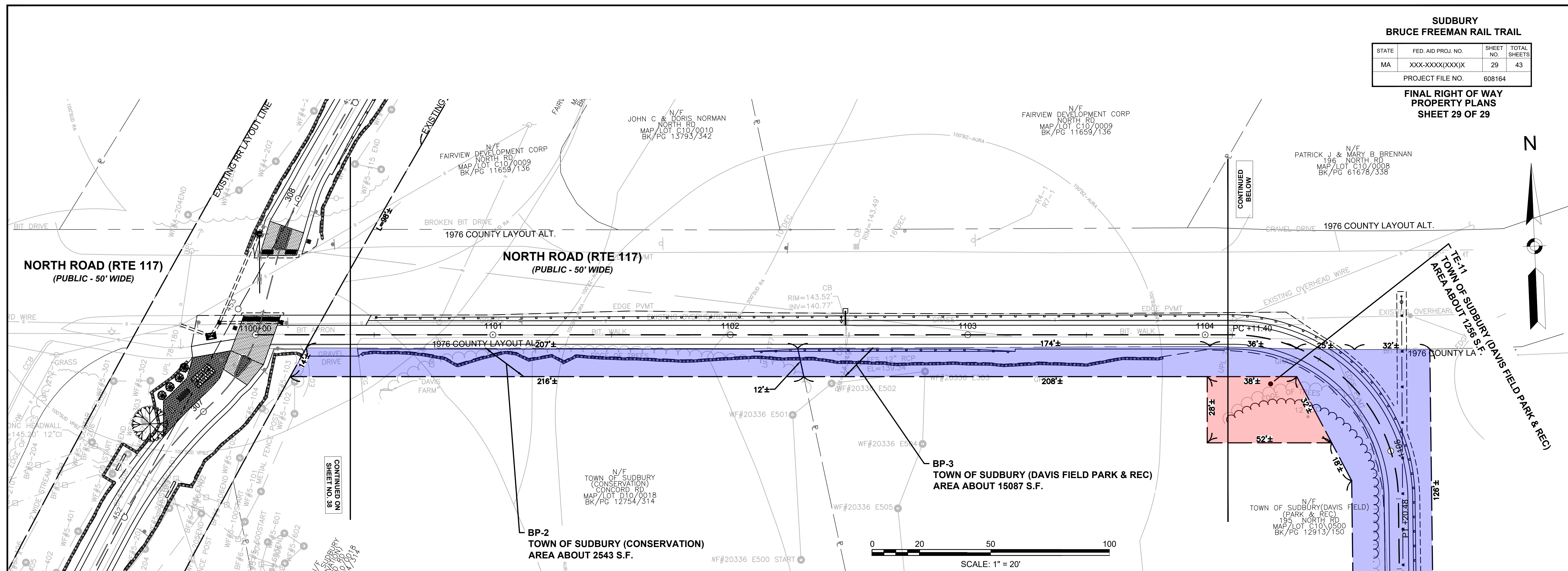
N/F JOHN C & DORIS NORMAN  
NORTH RD  
MAP/LOT C10/0013  
BK/PG 13793/342

N/F TOWN OF SUDBURY  
CONCORD RD  
MAP/LOT D10/0018  
BK/PG 12754/314

**SUDBURY  
BRUCE FREEMAN RAIL TRAIL**

STATE	FED. AID PROJ. NO.	SHEET NO.	TOTAL SHEETS
MA	XXX-XXXX(XXX)X	29	43
PROJECT FILE NO.		608164	

**FINAL RIGHT OF WAY  
PROPERTY PLANS  
SHEET 29 OF 29**



## DAVIS FIELD, NORTH ROAD

Identified on the plans as **BP-3** (Bike Path Permanent Easement 3)

### Project Information Table

<b>Project Proponent:</b>	MassDOT Highway Division
<b>Project Name:</b>	SUDBURY- CONCORD- BIKE PATH CONSTRUCTION (BRUCE FREEMAN RAIL TRAIL)
<b>Project Location:</b>	MassDOT Rail Division ROW (Formerly Old Colony R.R.)
<b>Project Description:</b>	<p>This project consists of a new segment of The Bruce Freeman Rail Trail (BFRT) in the Town of Sudbury, Massachusetts. The project is proposed to be constructed in a single phase as a 4.4-mile individual segment of an envisioned 25-mile shared-use recreational rail trail between Lowell and Framingham, Massachusetts along the former Lowell Secondary Track right-of-way of Old Colony Rail Road. At present, approximately 12 miles of The BFRT has been constructed in the municipalities of Lowell, Chelmsford, Westford, Carlisle, Acton, and Concord.</p> <p>The trail will be a paved 10' wide path serving non-motorized users of all abilities built for the purposes of providing safety for users and reducing traffic congestion on overtaxed roadways. The project will connect existing public open space areas and local points of interests including Sudbury Town Center and Featherland Park Recreation area. The project is also identified as Phase 2D of the BFRT and as MassDOT Project #608164.</p>
<b>Section 4(f) Resource:</b>	Davis Field
<b>Type of Section 4(f) Resource:</b>	Recreational Area
<b>Official with Jurisdiction:</b>	Town of Sudbury – Park and Recreation Commission
<b>Impacts to Section 4(f) Resource:</b>	(1) permanent easement labeled as BP-3 - totaling approximately 15,087 square feet - as shown in the attached construction plans - are required to allow the installation and maintenance of a new 8 foot paved shared use access path with amenities that will allow trail users to park at the existing gravel parking lot located at Davis Field and provide access to the Bruce Freeman Rail Trail. The 8-foot shared use path will also allow trail users of the Bruce Freeman Rail Trail to access recreational facilities located at Davis Field. New amenities are proposed which will be mutually beneficial for both path users and Davis field users, including a new hydration station/drinking fountain, benches, bike racks, trash receptacles, and kiosk for Town news and events.
<b>Measures to Minimize Harm to Section 4(f) Resource:</b>	Per FHWA's Section 4(f) policy paper, a de minimis impact determination considers all avoidance, minimization, mitigation, or enhancement measures. The proposed path was designed to abut the existing tree line along Davis Field parking lot, reducing impacts to existing vegetation and the existing gravel lot (specifically ensuring no loss of parking spaces). Erosion controls will be in place along the treeline in the area of existing wetlands for the duration of the project. The access path will end at the edge of the existing pavement, not impacting recreational facilities located at Davis Field.

**SUDBURY  
BRUCE FREEMAN RAIL TRAIL**

STATE	FED. AID PROJ. NO.	SHEET NO.	TOTAL SHEETS
MA	XXX-XXXX(XXX)X	29	43
PROJECT FILE NO.		608164	

**FINAL RIGHT OF WAY  
PROPERTY PLANS  
SHEET 29 OF 29**

