

Interviews with conservation officers of towns with rail trails by Bridget Hanson of the Sudbury Rail Trail Conversion Advisory Committee.

(Assabet River Rail Trail – Hudson)

Assabet River Rail Trail – Marlborough

Priscilla Ryder

Conservation Officer

Interviewer Bridget Hanson, 10/15/07, e-mail

1. Was concom of **Marlborough** involved in permitting process of **Assabet River Rail Trail** ? **Yes**
2. Who was the applicant? **The City of Marlborough through the DPW**
3. Does your town have a wetlands bylaw? **No we do not have a bylaw/ordinance**
4. Was a NPDES permit required? **Not at the time it was constructed, now that the EPA rules have changed we would likely have had to file with EPA for a construction permit.**
5. Which resources were involved? **Buffer zone only and two ISLF's that were deemed non jurisdictional**
6. Were any state listed species involved? **No**
7. Were there any particular design challenges and how were they solved? **The only challenge we had was that the top soil in several sections were considered hazardous due to the use of herbicides during the time the train was in operation. These soils had to be tested and removed from the site at a higher cost than anticipated.**
8. Did you consider alternatives for the trail surface? If so, why did you end up with the surface you have now? **We were advised that if we were to get**

federal funds, an asphalt surface that was handicapped accessible would be preferred to meet ADA issues. We didn't actively pursue any other surface alternatives.

9. Did the applicant have difficulty complying with the orders? **No**

10. Anything else you'd like to add about permit process. **It was useful to identify all permits needed during the 25% design phase, so that the permit process for various sections could be flushed out early on in the process and environmental impacts avoided at future design phases.**

FOLLOW-ON INTERVIEW

Phone interview with Priscilla Ryder, Conservation agent in Marlborough

Bridget Hanson interviewer, 8/27/08

Was the Conservation Commission involved in permitting for the rail trail?

Yes, for a stream crossing. A federal water quality permit was required for another section. Where the trail runs in Marlborough is on high ground.

Does Marlborough have a wetlands bylaw?

No.

Any suggestions or comments?

Budget for contamination issues- assessment and remediation. They found the only pesticide affected area was next to the stream crossing, possibly because mowing wasn't feasible there.

She went to a trail building conference in new Hampshire where they were very positive about permeable paving and stressed the importance of having the base coat correct..

Minuteman Commuter Bikeway –Arlington, Lexington and Bedford

Construction was completed in 1992, prior to passage of the 1993 Massachusetts Wetlands protection act. Because the regulatory requirements were so different, RTCAC did not pursue conservation or permitting questions related to the Minuteman Commuter Bikeway.

(Nashua River Rail Trail – Ayer)

(Nashua River Rail Trail – Dunstable)

Nashua River Rail Trail – Groton

Conservation Questions for Rail Trails
Barbara Ganem, Conservation Officer

Groton

Nashua River Rail Trail

Interview by Bridget Hanson, 10/29/2007, by e-mail

10. Was Groton involved in permitting process of Nashua River Rail Trail? **yes**
11. Who was the applicant? **Department of Environmental Management, Now Division of Conservation and Recreation (state)**
12. Does your town have a wetlands bylaw? **Was this a WPA only permit or also under a bylaw? Groton now has a more stringent bylaw in place but, at the time of filing, the bylaw had a fairly minimal impact. We have an exemption for previously disturbed sites however.**
13. Was a NPDES permit required? **Don't know.**
14. Which resources were involved? **Bordering vegetated wetlands, some Federally protected isolated wetlands**
15. Were any state listed species involved? **yes**
16. Were there any particular design challenges and how were they solved? **Some of the work involved sensitive resources, and I understand signage warning of rare habitat has been installed. Building a bridge overpass for automobile traffic was one of the most time-consuming aspects of the project.**

17. Did you consider alternatives for the trail surface? **If so, why did you end up with the surface you have now? Equestrians complain about the gravel lane designated for horse travel- Starpac might have been a better alternative.**

The pave portion allows mutiple uses- rollerbladers, wheelchair users, and those pushing strollers are particularly appreciative.

18. Did the applicant have difficulty complying with the orders? **Keeping erosion control measures in good shape , and then removing them in a timely basis at project completion**

Conservation Questions – Groton cont'd

12. **Anything else you'd like to add about permit process?** Because of the linear nature of the project applicant's consultant should provide an overview of all plans with a clear locus and the sheets appropriately numbered in sequence. **Since I was not involved in the original filing, it is very difficult to pinpoint a location on what I consider totally inadequate plans, now that we are ten years out.**

But the rail trail has been a huge asset to the community with many, many users.

Nashua River Rail Trail – Pepperell

Conservation Questions for Rail Trails

phone interview with Ellen Fisher, Conservation Agent, Town of Pepperell

Nashua River Rail Trail

Bridget Hanson Interviewer 10/16/07, telephone interview

Was concom of Pepperell involved in permitting process of Nashua River rail Trail? yes, shortly before Ms Fisher started working in Pepperell (2000). A negative Determination of Applicability was issued for the project, allowing it as a limited project as defined in the Rivers Protection Act. MGL 310 CMR 10.53 (6) “Notwithstanding the provisions of 310 CMR 10.58 the issuing authority may issue an Order of Conditions for the construction, rehabilitation and maintenance of footpaths, bikepaths, and other pedestrian or nonmotorized vehicle access to or along riverfront areas, provided that adverse effects from the work are minimized and that the design specifications are commensurate with the specified use and are compatible with the character of the riverfront area. Generally, the width of the access shall not exceed ten feet of pavement, except within an area that is already altered (e.g. railroad beds within rights of way). Access shall not be located in vernal pools or fenced in a manner which would impede the movement of wildlife.”

Was a NPDES permit required? presumably not

Anything else you'd like to add

rails and ties were “long gone” before project started

joint use with horses “pie in the sky.” Horses are spooked by the bikes. They have a 5 foot gravel equestrian path, on the river side of the trail. She thought this a bad idea, would like to separate horse traffic from the resource.

As part of process to update Open Space Plan, town of Pepperell surveyed residents about their favorite recreation areas. Nashua River RT ranked higher than anything else (including organized recreation, conservation lands) . The survey was done in 2002, before the trail was officially open.

Merchants originally concerned that trail users would take up parking spaces, this has not proved to be a problem.

Has been many years since she's had any complaints about trail.

Wachusett Greenways – Holden

Conservation Questions for Rail Trails

Interview with Pam Hardy, Conservation Officer for Holden MA

1. What year was the trail permitted? [Four years ago, 2000](#)
2. Was conservation officer and/or conservation commission of town involved in permitting process of the trail? [Yes, but only for one bridge crossing. Rest of the trail did not require permitting](#)
3. Who was the project applicant? [Wachusett Greenways](#)
4. Does your town have a wetlands bylaw? Was this a WPA only permit or also under a bylaw? [Yes 25' no disturb line from marked edge of wetlands. They also have a broader definition of vernal pools.](#)
5. Was a NPDES (National Pollutant Discharge Elimination System) permit required? [No](#)
6. Which resources were involved? [Quinapoxet River](#)
7. Were any state listed species involved? [No](#)
8. Were there any particular design challenges and how were they solved? [No](#)
9. Did you consider alternatives for the trail surface? If so, why did you end up with the surface you have now? [It is a combination of paved and stone dust. There is also sections that travel on the road. The trail is maintained by Wachusett Greenway volunteers with equipment loans from local DPW.](#)
10. Did the applicant have difficulty complying with the orders? [No](#)
11. Does you town get its water from Municipal groundwater wells? [There are some wells in town](#)
 1. If so, is any of the trail in a Zone I or Zone II of these wells? [No](#)
12. If you were to redesign the trail today, is there anything you would do differently and why? [It was a very positive experience for the town. The Wachusett Greenway organization is very good at making the trail work](#)

Wachusett Greenways – Rutland

Conservation Questions for Rail Trails

Interview with Richard Williams. Richard is previously member of the Rutland Con Com and owner of the Overlook Farm.

General comments: The rail trail was converted one portion at a time. Most of the lands were owned by Mass Department of Conservation and Recreation. This allowed the trail to go through town very quickly. Rutland is also a town with very little opposition. Richard believes the Mass Highway procedures are flawed and make the process much more difficult than they need to be. Trails could be built much faster without their involvement. He cites Rhode Island as a model for what MA could accomplish.

13. What year was the trail permitted? [Still on going as they build out new sections](#)

14. Was conservation officer and/or conservation commission of town involved in permitting process of the trail? [Yes, but DCR was the majority applicant.](#)

[Conservation insisted on hay bales and silt fences around the wetlands, but DCR \(MA Department of conservation and recreation\) was exempt from town.](#)

15. Who was the project applicant? [DCR owns most of the land and just notified the town](#)

16. Does your town have a wetlands bylaw? Was this a WPA only permit or also under a bylaw?
[No town by-law](#)
[Recent ConCom meeting initiated the creation of one. Desire is to have a stipulation for any buildable lot to have a minimum of 65% upland resources](#)

17. Was a NPDES (National Pollutant Discharge Elimination System) permit required?
[No](#)

18. Which resources were involved?
[Not detailed](#)

19. Were any state listed species involved? [Yes, just learned that there are some in the last 30 days. Process just starting.](#)

20. Were there any particular design challenges and how were they solved?
[MWRA owns some aqueduct lands. Mediation was to use the existing gravel road along the aqueduct. Much of the trail is on existing overland road.](#)

21. Did you consider alternatives for the trail surface? If so, why did you end up with the surface you have now? [The entire Rutland stretch is Stone](#)

dust – medium grade. Medium grade was required to be robust enough for wheel chairs to not sink in. There is now significant concern about Phosphorus coming off stone dust and going into the water supply. The anticipate having to deal with this in the next 5-7 years.

The Trail is not plowed in winter

22. Did the applicant have difficulty complying with the orders?
No
Fire chief was told that the trail would not accommodate fire trucks.
Emergency vehicles would need to access at trail road crossings.
23. Does you town get its water from Municipal groundwater wells? If so, is any of the trail in a Zone I or Zone II of these wells?
No
24. If you were to redesign the trail today, is there anything you would do differently and why?
No.

(Wachusett Greenways – Sterling)

Wachusett Greenways – West Boylston

Wachusett Greenways- West Boylston

Carolyn Padden, Chair, West Boylston Conservation Commission

10/29/07

19. Was ConCom of West Boylston involved in permitting process of trail (Wachusett Greenways)? **Yes.**
20. Who was the applicant? **Town**
21. Does your town have a wetlands bylaw? Was this a WPA only permit or also under a bylaw? **No bylaw, Wetlands Protection and Watershed Protection (DCR)**
22. Was a NPDES permit required? **No**
23. Which resources were involved? **River and associated wetlands, river feeds Wachusett Reservoir**
24. Were any state listed species involved? **No**
25. Were there any particular design challenges and how were they solved? **Steepness of slope to river – stairs were installed. Proximity to wetlands in some places – installed timber berm**
26. Did you consider alternatives for the trail surface? If so, why did you end up with the surface you have now? **Yes, stone dust is a permeable, hard surface which withstands the considerable foot, snowshoe, and ski traffic. Vehicular traffic not allowed except for maintenance**
27. Did the applicant have difficulty complying with the orders? **No**
10. Anything else you'd like to add about permit process **The process was a joint effort of the Town, DCR, and the ConCom. We also had valuable input from others who are involved in designing other sections of the trail.**