

**RAIL TRAIL CONVERSION ADVISORY COMMITTEE
Town of Sudbury, Massachusetts
Minutes of Meeting on July 26, 2007**

Present: Pat Brown, Debbie Dineen (ex officio), Betty Foley, Bob Hall, Jennifer Pincus, Eric Poch, Nancy Powers, Dick Williamson

Absent: Madeleine Gelsinon, Bridget Hanson, Dennis Mannone (ex officio), Bill Place (ex officio), Carole Wolfe

Also Present: Residents Laura Abrams, Dan DePompei, M. Harty, Jim Nigrelli and Melanie Weaver

There was no community input. The meeting was convened at 7:40.

The Minutes of the June 14, 2007 meeting were approved after Bob Hall noted a few minor corrections he had made after sending copies to the Committee members.

Old Business

Presentation of a Draft of the RFP for the Wildlife Study

Debbie Dineen prefaced her review of the RFP by noting that Becky Corkin will be leaving town and will no longer serve as the RTCAC member representing the Conservation Commission. Chris McClure has been picked by the Commission to take her place. Debbie reported that she had called the Town Manager's office to verify that there was no requirement for further approval of that appointment. The RFP is complete and is only awaiting the Town Manager's signature.

The review of the document was only to inform the RTCAC members of its content; the Town Manager had clearly indicated in e-mail that no input from the Committee as a whole need be considered. Debbie had written the first draft, then Debbie and the Town Planner Jody Kablack reworked it, and finally they were joined by the Town Manager to complete the task. The Board of Selectmen indicated that the RTCAC Conservation Subcommittee would have input into the RFP for the wildlife study when it was presented at Sudbury Town Meeting in 2007. The RTCAC Conservation Subcommittee was unable to convene with all members. Becky Corkin reviewed the RFP as part of the ConCom review. Bridget Hanson met with Debbie to go over some revisions, and Carole Wolfe was unavailable. Debbie will be the Project Manager for the study.

Pat Brown wanted some assurance that the study will answer several questions originally posed by the RTCAC when the wildlife study was submitted to the Board of Selectmen for consideration for CPC funding. Chief among these questions is what use wildlife now makes of the right-of-way (ROW) so that potential impacts may be understood.

Debbie began her review of the actual document by stating that there will be impacts on the wildlife along the ROW, and the purpose of the wildlife study is to document them, evaluate their severity and determine if they can be avoided or mitigated so that wildlife will not suffer. She emphasized that the study must be carried out using the methodologies described in the 2006 publication, "DEP Wildlife Habitat Guidance, Appendix B", and in accordance with the concepts and principles described in "Planning Trails with Wildlife in Mind" published in 1998 by the Trails and Wildlife Task Force of the Colorado State Parks. In order for the Sudbury

Conservation Commission to issue a permit for construction of the trail it will have to be shown that construction and use of the trail will not violate the principles or fail to meet the criteria embodied in those documents. Debbie stated that the trail project will be subject to the same criteria regarding conservation requirements as any other construction project in town.

The start dates of the study will be subject to revision depending on the title search. Contractors may examine the RFP before the title search is completed, but there will be no review of the proposals or awarding of bids until the search has been finished. The study, it was noted, is of fauna only, not flora. The study has two overall goals: “1. Evaluate the level of impact to wildlife habitat within the landscape context. 2. Identify approaches to avoid impact from trail construction and use without compromising the ecological integrity of the area or degrading the biodiversity it supports.”

The first phase of the study is called the Discovery Phase in which the consultants will review all available information about the ROW and surrounding areas, making use of topographical maps, of wetlands, vernal pools, etc. To be examined also is information about the area in the office of the Conservation Commission, all of the town plans that might be relevant, and in general any town business that is pertinent.

Dick Williamson pointed out that there are published studies about the impact of rail trails on wildlife and ecologically sensitive areas that should be helpful. Debbie responded that this study will start from scratch, dealing with the conditions that are specific to Sudbury. There was no wildlife study done in the development of the Nashua River Rail Trail because there were no legal requirements for one when it was built. Debbie noted that the emphasis in the Sudbury study will be to determine whether permitting will be possible in accordance with the guidelines noted above. In this sense Sudbury is pioneering in the application of the guidelines and principles to the development of rail trails. The RTCAC can review other studies for background information and to see how wildlife issues were approached for the design of other trails. Dick Williamson inquired whether the information to be gathered referred only to permitting, to which Debbie responded that the permitting aspect referred only to Sudbury. Pat Brown reminded the Committee that the Town Manager had stated that no input from the RTCAC as a whole was being used to create the RFP.

The second phase of the study is the Evaluation Phase, divided into two series of questions, one concerned with the fauna, the other with the habitat. The first will identify the species in the area, those of special concern, the types of activity, etc. There is a list of about 20 questions about the habitat to be addressed in the study. These were noted briefly, but there was no real discussion of them.

In the Review Phase the town will determine if a “scoping session” will be required to clarify the scope of the project prior to its commencement. The question came up whether \$25,000 would be enough to do all that the RFP calls for. That amount of money came from an estimate by Sigrid Pickering, a former member of the RTCAC, but it was primarily for a wildlife census. It is not clear that the amount will allow the much broader scope of the study considered here. What would happen if all of the proposals came in over \$25,000? Wildlife specialists will have to determine what can be done for that amount of money, perhaps only part of it initially. The goal is to get as much information as possible with the money appropriated.

Debbie then reviewed briefly other review requirements (e.g., the consultants will be required to attend no fewer than two public information meetings) and the deliverables (e.g., quarterly reports after the end of each season as well as the final report at the end of the four seasons). Jennifer Pincus asked if the consultants could make any recommendations before the

end of the study, as its completion will not permit the BOS to keep to its schedule of a decision in December, 2008. There was also concern that the completion and the BOS decision would come too late to request additional CPA funds for the trail in the fall of 2008. But Eric Poch noted that the research for three seasons would be completed, providing, perhaps, enough information that the selectmen would be willing to put in a place holder on the list of CPA requests. Moreover, if the final report is not made until January, 2009, the public review of the report could not be held in the fall of 2008, as the BOS recommended.

Summary of June 21 Meeting with the Agricultural Commission

Pat Brown did not present a detailed summary of the meeting of the Agricultural Commission that she, Madeleine Gelsinon and Carole Wolfe attended because she had previously sent detailed minutes of the meeting to RTCAC members. She did show the map that Laura Abrams had given her of the ROW in which the sections through which it passes that are farm lands were marked in different colors for the 10 farms, including one parcel south of Route 20 and one not in active use. Ms. Abrams noted that approximately half of the 4.6-mile ROW passes through or abuts farmland. She has begun a search to find other towns in which rail trails have similar contacts with farmland to see how those towns handled the problems. To date she has not had much success in identifying towns of that kind, but she did hear of one town in Connecticut in which a trail was diverted around a farm to avoid the problems encountered. She noted that the Kurz farm in Sudbury, an organic grower, is concerned about possible contamination resulting from the disturbance of the rail bed during construction and the difficulties that contamination would present in gaining certification as organic growers. Eric Poch pointed out that the concerns of farmers sits squarely in Section 5, Abutters' Concerns, of the BOS's Work Plan for the RTCAC,. The Agricultural Commission had requested that the RTCAC establish some regular contact with it, and to that end a Commercial and Agricultural Subcommittee was formed at this meeting, consisting of Madeleine Gelsinon, Betty Foley, Eric Poch and Dick Williamson. The subcommittee will attend the Agricultural Commission meetings and report to the RTCAC on the concerns of the farmers and attempts to answer them. Eric suggested that a good place to start in looking at commercial concerns in Sudbury would be with the Chamber of Commerce and the Economic Development Commission. He will contact the latter and report back in September or October.

Submission of Items for Notebook

Pat Brown said that she has more work to do on the "History of Sudbury Rail Trail Proposal" and requested advice about how to number the references, in particular the minutes of RTCAC meetings, which will appear in multiple places; that is, whether to cite references at the end of each chapter or to cite references for the whole notebook at the end of the notebook, with RTCAC minutes indicated by a single set of numbers. The Committee decided it would be much less confusing if the references were placed at the end of each chapter. Pat also said that the RTCAC had not posted two CTPS studies involving the Sudbury section of the Bruce Freeman Rail Trail and asked Dick Williamson to forward copies of them to her and have them placed on the town website. Dick also pointed out that Pat had missed the Sudbury Bike Committee that was formed in the late 1980's in her history of the proposal. Dick will provide that information as he was a member of that committee.

Pat also inquired whether Bob Hall had done a search for all of the longer rail trails in Massachusetts whose development might provide useful information to the RTCAC and the BOS. Bob found about 16 trails, but the status of a few was uncertain. Pat asked him, nevertheless, to forward his list to the Agricultural Commission, which might find it useful in its attempt to identify trails passing through or abutting farmland, as well as to the RTCAC.

Dick Williamson reported that the “Regional Overview of the Bruce Freeman Rail Trail”, assembled by the RTCAC members who are Friends of the Bruce Freeman Rail Trail, is in pretty good shape except that the references must be added.

The members who had volunteered to search out public information on four nearby rail trails, the Minuteman Bikeway, the Assabet River Rail Trail, the Nashua River Rail Trail and the Wachusett Greenway, had not had much time to devote to that task. Bridget Hanson, who was not present at this meeting, did contact Michelle Ciccolo in Hudson and got answers to a number of questions about the Assabet River Rail Trail, which she emailed to RTCAC members. There was no time for significant discussion of her findings.

Jennifer Pincus will update the list of questions to be asked of officials in other towns with rail trails. Pat asked her to include three questions that Debbie Dineen suggested in an email message to the RTCAC. Pat requested that all of the documents to be submitted to the BOS in September be finished as much as possible and distributed to Committee members by August 13 so that the members will have enough time to read them and make corrections or suggest changes at the August 23rd meeting.

Pat also reported that she removed the link in the real-estate study by Craig Della Penna to the website of the Friends of the Bruce Freeman Rail Trail in accordance with her interpretation of the Town Manager’s directions about links on the town website to other websites for advocate organizations. Eric Poch suggested, however, that Maureen’s intent was probably not so restrictive and referred to documents, not links.

The final and brief discussion was about tracking the work of the Committee on the Notebook as an aid to keeping the work on schedule and avoid missing information. It was also suggested that the Committee keep track of the work that Town Staff will be doing on this project. Eric volunteered to set up a system for doing both kinds of tracking.

The Meeting was Adjourned at 9:40 P.M.

There was no public comment.

Submitted by Bob Hall on August 9, 2007

Resubmitted on August 20, 2007

Approved on August 23, 2007