

**RAIL TRAIL CONVERSION ADVISORY COMMITTEE**  
**Town of Sudbury, Massachusetts**  
**Minutes of Meeting on November 29, 2007**

**Present:** Pat Brown, Betty Foley, Madeleine Gelsinon, Bob Hall, Bridget Hanson, Chris McClure, Jennifer Pincus, Bill Place (ex officio), Nancy Powers, Dick Williamson, Carole Wolfe

**Absent:** Debbie Dineen (ex officio), Dennis Mannone (ex officio), Eric Poch

**Also Present:** Residents Dan DePompei, Mimi DiMauro, Margaret Harty, Jim Nigrelli and Dick Wolfe

Before the meeting was convened chairperson Pat Brown asked Bill Place to report on the meeting of the Bruce Freeman Rail Trail Coordinating Committee that he attended as Sudbury's representative. The meeting was held on October 24, 2007 in Arlington, MA.

The meeting was called by Lawrence Cash of MassHighway to coordinate trail related developments in the Phase-2 and Phase-3 towns along the Bruce Freeman Rail Trail. The meeting, Bill noted, was primarily an informational meeting. Bill reported at the meeting on the status of the ongoing CPA-funded studies in Sudbury, noting that the third one, the survey of existing conditions and wetlands, is currently in the hands of Town Counsel because of difficulties in determining how to award the contract following the receipt of 25 submissions in response to the RFP. The cost estimates in the 25 submissions varied widely, from \$39,000 to \$218,000 as shown in the listing of those estimates Bill distributed to RTCAC members. Town Meeting in Sudbury approved \$105,000 for the study.

Mr. Cash, who is the MassHighway project engineer for Phase 2 of the Bruce Freeman Rail Trail (BFRT) divided the project into smaller segments: Phase 2a in Acton, Westford and Carlisle; Phase 2b, the Route-2 rotary design; Phase 2c, the trail in Concord; Phase 2c or 2d in Sudbury; and Phase 3 in South Sudbury and Framingham. Mr. Cash thinks it unwise to apply for funding for all of Phase 2 if some towns are not ready to go. Andy Magee, the Acton representative, urged that Phase 2 not be segmented and that Phase 2C/2D remain on the TIP with 2A to avoid political ramifications (e.g., opponents asking why money is being spent for a 25% design when the 2C and 2D phases are not programmed on the TIP). He also expressed frustration with EOT for not finalizing the lease for the right of way (ROW) in Acton and the failure to get approval from the Project Review Committee (PRC) of MassHighway District 3. The reasons given were that add-on costs for the bridge over Route 2a/119 and the spur to NARA Park were driving the costs too high. Redesign of the Route 2 rotary was also discussed and the problems that would arise if the trails in Acton and Concord cannot be connected. Where would the trail end in Concord? In the same vein, Concord is considering Powder Mill Road as the southern terminus of the trail until the Sudbury segment is built, rather than having it end in the woods at the Sudbury town line. Articles 9 and 10 on the warrant for the special town meeting in Concord were also discussed. These called for a complete environmental study before submission of the 25% design (9) and for town-wide approval of the design before it is submitted to MassHighway (10). Both articles failed. Bill reported to the meeting that in Sudbury negotiations with CSX for leasing the Phase 3 section of the trail are still in progress and that CPA funds for the 25% design will probably not be up for consideration before 2009. Framingham has a new engineer and the same problems with CSX. Sudbury currently has about two million dollars set aside in CPA funding; acquiring the CSX corridor in Sudbury could cost

\$400,000 to \$800,000. It appears that funding for transportation projects is not adequate. Pat Brown verified that Josh Lehman from EOT had been present at the meeting, and asked whether the 2007 Massachusetts Bicycle Transportation Plan had been discussed. Bill replied that it had not.

Carole inquired whether the question of trail surface came up at the meeting. It did not. Dick Williamson noted that Carlisle has had a poor experience with non-asphalt trails because of trail deterioration. The Town has decided to pave their trails. Pat Brown asked whether the BFRT meeting was a public meeting. Bill said that it was. Draft minutes of the October 24 BFRT meeting prepared by Tom Michelman, president of the Friends of the Bruce Freeman Rail Trail, have been distributed to attendees; a copy of this draft had also been distributed to the RTCAC via e-mail. It is not clear whether or where approved minutes will be published. Bill Place said he would inform the Committee when the next meeting will be held. While Bill was still in attendance Pat asked him if any progress has been made on the wildlife study. He thinks it has commenced, but believes it must be in very early stages.

Pat thanked Bill for taking the time to make his report this evening. Pat then asked if there was any input from the community before opening the meeting.

**There was no community input.**

**The Meeting was convened at 7:55 P.M.**

## **Updates**

### ***CPC Status:***

The status of both studies still in progress were discussed while Bill Place was still present. See above.

### **The 2007 Massachusetts Bicycle Transportation Plan**

The last draft, which became available on line in October, will undergo a final revision that will be presented on December 7<sup>th</sup> at the Smart Growth Conference at the DCU in Worcester. It should be available online at [www.massbikeplan.org](http://www.massbikeplan.org). Dick Williamson suggested that a link to the document should be placed in the Regional History of the Rail Trail being prepared for the Notebook.

Carole Wolfe then reviewed several sections of the Plan, including the Executive Summary, which places great emphasis for development on seven major corridors that traverse the Commonwealth, completely in most cases, in east-west and north-south directions. The BFRT is considered a part of the Merrimack River – Charles River Corridor. In the description of that corridor there is no mention of the BFRT in Concord or Sudbury. Carole then went on to note several places in the appendices and the summary where descriptions of the proposed trails do not include any mention of the BFRT, nor do the projected costs include any monies for it. Specifically, she noted that the segment of the trail through Acton is listed as a proposed project, ultimately to connect with the Minuteman Bikeway to the east, without extending southward through Concord. The point that she emphasized is that nowhere in this plan does the BFRT come into the picture other than Phase 1, which is currently under construction. Carole also observed that according to this plan only projects currently in construction are slated to receive funding over the next ten years, after which other projects are to be considered. Her question was: Does it make any sense for the towns along the corridor to spend money on additional

studies when it appears there is little reason to believe the trail will be funded using the Mass Highway funding mechanism?

Dick Williamson pointed out that this is just a plan, one of several done in recent years, and he urged the Committee to read the plans put forward by the MAPC and the MPO, both of which clearly include the several phases of the BFRT. Pat pointed out that the Mass Bicycle and MPO plans are not compatible. It is not clear which (if either) of these plans will be implemented, with the state projecting 82 million dollars in bicycle-project capital expenditures over twenty-five years, and the MPO proposing to spend 143 million dollars for that purpose over twenty years in the Boston Metropolitan region alone. Carole was of the opinion that the state plan is likely to be dominant, as it has been endorsed by the new Secretary of Transportation, Bernard Cohen, and Pat noted that the plan was sponsored by the Executive Office of Transportation and Public Works (EOTPW), which would seem to give it some precedence. Dick indicated, however, that the coupling between plans and funding in the past has been very loose.

### **Communications To/From RTCAC**

Several Committee members (Pat Brown, Dick Williamson, Betty Foley, and Madeleine Gelsinon) attended a joint meeting of the Sudbury Agricultural Commission and the Holliston Agricultural Commission hosted by the Sudbury Grange on November 27, but apparently there was very little discussion of the rail trail. Laura Abrams, chairperson of the Sudbury Agricultural Commission, had sent e-mail to the RTCAC requesting yet again that the Conservation/ Business Subcommittee of the RTCAC meet soon with the Commission. Dick Williamson mentioned that the Sudbury Agricultural Commission had invited the Subcommittee to a meeting scheduled for December 5, and that he, Betty, and Madeleine from the Subcommittee planned to attend. Eric Poch was not present, and was presumed not to be available December 5.

The list of questions posed by the Sudbury Conservation Commission (ConCom) to the RTCAC was again the subject of discussion. Chris McClure, as liaison to ConCom, had collected and summarized these questions for consideration by the RTCAC in response to a request by Pat Brown as chair. Bridget Hanson noted that not all of the questions on that list pertained to conservation matters. Chris McClure added that there was no reason to discuss the questions this evening, many of them raised by Conservation Coordinator Debbie Dineen in response to the Sudbury Environmental and Engineering Assessment done by Faye, Spofford and Thorndike last year. Chris will consult with the ConCom and pare the list to the conservation questions ConCom has. Chris asked Bridget if they should meet with Debbie, as one thing they had discovered is that most towns along the Nashua River Rail Trail (NRRT) do not have Bylaws pertaining to wetlands and vernal pools. They wondered how funding might be affected when town Bylaws do include specific provisions for these resources, as Sudbury's do. Debbie Dineen had indicated that it was too soon to consider that question. Pat Brown pointed again to the distinction Dick Williamson has made on several occasions about ConCom's role in trail development, on the one hand playing an advisory role when the feasibility and design of a trail are being considered, on the other as a permitting board for the construction of the trail. Bridget was of the view that the ConCom should be involved early in order to define the issues. Pat asked for a clarification of the difference between state and local laws regarding wetlands. Bridget's response was that, in addition to Sudbury's broader definition of vernal pools, under Sudbury's bylaws the applicant must show that construction will have no or minimal effect on wetlands and vernal pools to avoid having conditions imposed by the Conservation Commission, whereas state laws require that the permitting body (ConCom) demonstrate that the construction

will have a deleterious effect to impose conditions. Chris pointed out that in his research into the Wachusett Greenways he found there are no wetlands in the towns involved, although there is a river close by the trail in West Boylston, which is not subject to the same regulations.

The Sudbury ConCom will meet with the researchers doing the wildlife study in February. Bridget suggested that we find out when the public meeting to report the results of that study will be held and who will be hosting it.

### **Project Tracking for the Notebook**

Eric Poch who is in charge of this task was not present; there was no report.

### **Subcommittee Reports**

The activities of both the Agricultural and Conservation Subcommittees were covered in the discussions above.

### **Submission of Items for the Notebook**

#### ***History of the RTCAC***

The discussion of this section revolved largely around a distinction apparent in the difference between the title of this agenda item and the title of the document Pat Brown has so laboriously assembled, "History of Sudbury Rail Trail Proposals". Pat had taken the somewhat narrower view, considering only events pertaining more or less directly to the Committee. The major change in the document since it was last reviewed by the Committee is Dick Williamson's addition of very early events leading up to those Pat included, as well as events in the 1980's, all of at least historical interest. The Committee felt that those events were welcome additions to illustrate how long and involved were Sudbury's BOS, other town officials and volunteers in trying to advance a bike path in Sudbury. Pat was her own worst critic when promising to find references she had not been able to provide thus far. Dick suggested, and others agreed, that the system she has used for referencing things is confusing - in blocks by the nature of their sources, e.g., minutes of the BOS numbered separately from minutes of the ConCom. She was urged to indicate references in serial order as they appear in the text.

### **Regional Overview of the BFRT**

Dick Williamson began by noting some omissions, such as a Memorandum of Understanding between MassHighway and the towns of Chelmsford and Westford. He will insert it in the appendix to the plan on the website. The Committee also decided that the Notebook would be submitted only to the BOS and not be made public in the library. Dick pointed out at this time that web references tend not to be stable.

Pat repeated an earlier criticism of this document, namely, that some references are not adequate and would do the reader a disservice. For example, referring to conversations with Steve McLaughlin of Mass Highway without some sort of verification is not satisfactory. Bridget suggested, and Dick agreed, to take instances of this sort and send via email messages the statements attributed to the individuals to ask for their confirmation, that is that the statements are correct and rightly attributed to them. Pat also requested that the names of the state representatives and senators responsible for the invitation to the state-house forum on the BFRT be corrected and the names of all the legislators who attended be listed.

Nancy Powers expressed her frustration in dealing with the tracked changes in these documents containing edits by several people. She suggested that subcommittees decide on

changes and present them as a single set of changes. Dick agreed and requested that any of the documents the Committee is working on are sent back to the originators with only a single set of corrections or changes. Each reviewer should return only his own changes to the author; the author is then responsible for assembling them into a coherent whole for the RTCAC to consider.

Before adjournment Pat asked whether there would be enough Committee members able to attend the regularly scheduled meeting on December 27 to achieve a quorum. It appeared that there would be, so the meeting will be held at that time. Because Pat will not be among those attending, she asked Bridget to chair the meeting, which Bridget agreed to do.

### **The Meeting was adjourned at 9:40 P.M.**

### **Community Input**

Margaret Harty took exception to the view Pat Brown had expressed in referring to the Sudbury Bike Trail Committee established by the BOS in 1988, a committee that Pat said had done nothing because it had never met. Ms. Harty referred to earlier efforts to determine the feasibility of a trail in Sudbury, beginning in 1984, involving a number of residents who spent a good deal of time and work on that endeavor. Ms. Harty noted that the reason this early committee stopped its work was that no funds were available for the trail. Minutes of the BOS and ConCom in that period reflected the deliberations about the trail. Dick reiterated that as a member of the Bike Path Committee appointed in 2002 he was never aware that it had met after its first organizational meeting. The Committee was dissolved in 2003 without having left records of any accomplishments. .

Dan DePompei confessed to some confusion about the multiple plans for bike paths in the Commonwealth and inquired if there was authority in the latest plan discussed above. He said the BOS should be advised if there really are conflicts in the several plans. Bridget Hanson replied that when the final plan has been presented in December someone on the RTCAC will have to summarize in bullet fashion for the BOS the main points of the plan.

Mimi DiMauro had several comments and suggestions. She asked first why the RTCAC meetings were not televised, as other town committee meetings in Sudbury are. She later noted that the difficulties in taking minutes for the meetings could be ameliorated by the taping for TV or by audio tape recording the proceedings. She offered to provide the Committee with a tape recorder. Ms. DiMauro also expressed her support of Ms. Harty's views about the early work in town on the trail, asking that it be included in the History of the Sudbury Rail Trail Proposals to acknowledge all of the work done by the early volunteers and town officials. She also agreed with Pat Brown's position that every public document be referenced. Many more people than just the BOS, she argued, will read the Notebook, so the references and links will be very helpful. Finally, she found the proceedings of the RTCAC sometimes disrespectful, members not always letting other members finish sentences before interrupting to make their own points. It was not clear that this view was shared by many Committee members.

Submitted by Bob Hall on December 3, 2007

Resubmitted on December 17, 2007

Approved January 24, 2008