

RAIL TRAIL CONVERSION ADVISORY COMMITTEE
Town of Sudbury, Massachusetts
Minutes of Meeting on October 25, 2007

Present: Pat Brown, Betty Foley, Madeleine Gelsinon, Bob Hall, Bridget Hanson, Chris McClure, Nancy Powers, Dick Williamson

Absent: Debbie Dineen (ex officio), Dennis Mannone (ex officio), Jennifer Pincus, Bill Place (ex officio), Eric Poch and Carole Wolfe.

Also Present: Residents Dan DePompei, Jim Nigrelli and Graham and Matt Peterson (Matt being a boy scout working on his Citizenship-in-the-Community merit badge)

There was no community input.

The Meeting was convened at 7:40 P.M.

The Minutes of the September 27, 2007 meeting were approved without discussion.

Old Business

Submission from RTCAC for 2007 Sudbury Town Report.

Pat Brown circulated a hard copy of the RTCAC's contribution to the town report for signatures of all the members present. She will try to get the document to the members who were not present for their signatures in the days to come or leave a copy with the Town Clerk for them to sign it there.

Updates

Status of the research projects funded by the Community Preservation Committee

Pat reported that on Tuesday, October 23, Maureen Valente, the town manager, signed a contract with Call of the Wild, the firm selected to perform the four-season wildlife study. The permit from EOT to use the right of way (ROW) is in place, so the study can commence very soon. That will allow it to finish by the fall of 2008, keeping with the schedule proposed by the Board of Selectmen (BOS). Bill Place is still working on the RFP for the survey and wetlands delineation, the third investigation of three approved at the 2007 town meeting. Chris McClure noted that the Conservation Commission is working with Bill who will make a draft of the RFP available for comment. It was also noted that Bill attended the first meeting of the Bruce Freeman Rail Trail Coordinating Committee on October 24. The purpose of the Committee, as its name implies, is to coordinate the activities of all eight towns along the ROW and the various state agencies involved in the development of the trail -- and to update those communities on the reconfiguration and reprioritization of the Phase II Bruce Freeman corridor in Massachusetts as described in the Draft 2007 Massachusetts Bicycle Transportation Plan, which was released for comment on October 5. Bill is the Sudbury representative on this committee. The RTCAC would like to hear Bill's report of the meeting: who attended, the agenda, the implications of such a committee for Sudbury, and the implications of the 2007 Massachusetts Bicycle Transportation Plan for trail funding in the different towns along the Bruce Freeman corridor. Discussion of the 2007 Plan was deferred until the next RTCAC meeting in hopes of hearing from Bill at or before that meeting.

Presentation to the Board of Selectmen on October 23, 2007

Pat reported to the BOS about the progress made by the RTCAC on the Notebook the selectmen requested. Her report was the first quarterly report since the inception of the project. The only approved material she could present was her own work on the history of the rail trail in Sudbury and of this Committee. Her report can be seen as a pdf file on the Committee's website. A second report of this work to the BOS is due in February next year.

TIP Process in Sudbury

At the last meeting Dick Williamson noted there had been much discussion about the funds listed on the TIP (the prioritized list of MassHighway projects prepared by the MPO) for phase 2 of the Bruce Freeman Rail Trail. The amount had been reduced to \$3 million from more than \$4 million, and the time for implementation increased from the year 2010 to 2011. Dick had heard from Tom Michelman, president of the Friends of the Bruce Freeman Rail Trail, who had spoken with people at MPO, and learned that Sudbury had not submitted a request for funds. Dick mistakenly interpreted this as an indication that the reduction in the TIP amount was in part due to that omission. The MPO obtains information used in creating the list from contacts in every town. Maureen Valente, the town manager in Sudbury, is Sudbury's contact. Maureen confirmed with Hayes Morrison, TIP coordinator at the Boston MPO that she, the Town Manager, had submitted her contact information, but there is no record that the MPO responded by sending project forms concerning any of Sudbury's projects in the TIP to Maureen for review and response. Apparently, a number of these reports, not just Sudbury's, were somehow lost. In any event, it appears that Sudbury, and Maureen in particular, was not at fault, nor, it was learned from Morrison at the MPO, was the absence of any request from Sudbury the reason for the reduction in funds on the TIP for phase 2. Chris asked if anyone knew why the changes were made in the TIP. Bridget Hanson replied that it was probably due to the fact that planning for the trail was not very far along, and Dick said he had heard on several occasions that when plans are in place there is a good chance they will advance on the TIP and be funded.

Chris McClure asked at this point whether Maureen and the BOS had received a synopsis of the recently released Mass Bike Plan. There was some discussion about how best to present the very long study to them.

Pat Brown emphasized again that communication with relevant town committees and commissions should be ongoing. She had sent an email to Chris asking him to report on the Conservation Commission's (ConCom) concerns. Chris has the list of questions the Commission had prepared in their considerations of the rail trail, which he will send to Committee members. He said he will also report on the opinions they have formed regarding some of the issues. Dick Williamson said that he was not clear about ConCom's role in the whole process. At times it seems that ConCom can only respond to a concrete proposal when a permit is requested; at other times, ConCom is described as most effective when it is able to flag design choices with extensive environmental impacts by commenting during informal discussions well before the design is complete and the permitting process begins. Chris noted that Debbie Dineen, conservation coordinator and ex officio member of the RTCAC, was disappointed that she had little input to the FST Engineering and Environmental Assessment. She walked the ROW once with the project engineers and parts of the ROW twice with Marshal Dennis of Wetlands and Wildlife, Inc., the firm responsible for environmental aspects of the assessment. It seems clear that communication between Debbie and FST was not what it should have been, nor was

communication between Debbie and the Conservation Subcommittee of the RTCAC. She was also disappointed in the scope of the FST study, but Bridget Hanson pointed out that such feasibility studies are very preliminary. Dick Williamson said that such a study is a necessary step in the MAPC process for trail development.

Chris ended this discussion on a more upbeat note saying that the ConCom has been pleased with the development and review of the RFP for the four-season wildlife study just getting under way. Bridget recommended that on large projects, like the Bruce Freeman Rail Trail, a large informal meeting with ConCom and other relevant committees and commissions take place early in the deliberations on the development to voice opinions and concerns.

Project Tracking for the Notebook

Because Erich Poch has assumed responsibility for this task and was absent this evening there was no discussion.

Subcommittee Reports

Commercial/Agricultural Subcommittee

Pat Brown responded to an e-mail from Laura Abrams, chairperson of the Agricultural Commission, to assure her that the RTCAC is eager to gain their input. Dick Williamson, a member of this subcommittee noted that it has not met nor made recent contacts with either Sudbury community. Eric Poch, who had assumed a leadership position on the subcommittee, was not present. Dick will make an effort in the coming weeks to call a meeting of the subcommittee and have it meet with the Agricultural Commission.

Conservation Subcommittee

Bridget has sent questionnaires through email to the four towns along the Nashua River Rail Trail (NRRT), but thus far has heard from only two of them. These questionnaires contain questions specifically aimed at environmental and conservation considerations of rail trails, and were sent to the conservation commissions in those towns. Bridget had developed the set of questions and incorporated some comments from Conservation Coordinator Debbie Dineen. Bridget noted that town officials show a reluctance to deal with the questions in that format, preferring instead to just talk about the trails and their experiences with them. She will submit the interviews to the RTCAC and have the Committee pose questions that haven't been answered, and which it thinks should be. Bridget will also undertake a similar investigation of the Wachusett Greenways, a section of the Central Mass Rail Trail. Chris offered to help her with this project and will do the calling to town officials in Rutland, Holden, and West Boylston. Bridget was advised to speak with Colleen Abrams, president of the Wachusett Greenways, who is exceedingly knowledgeable about rail trail development and the Wachusett Greenways in particular.

Bridget was surprised to learn from Ellen Fisher, the Conservation Agent in Pepperell that when the Wetlands Protection Act was amended by the 1996 Rivers Protection Act, construction of a rail trail was categorically declared a "limited project". A negative Determination of Applicability had therefore been issued for the NRRT, allowing it as a "limited project", which also allowed the issuance of an Order of Conditions necessary to proceed with construction along riverfront areas. Bridget will look into this some more to better understand the possible ramifications of this regulation.

Dick Williamson, who is responsible for collecting information on the Minuteman Bikeway, will attend a tri-town meeting about the trail on November 3rd.

Discussion of Article in Globe West edition of October 21, 2007

This article was about the difficulties that state and local governments have had in trying to purchase or lease unused ROWs from the CSX railroad (CSX Transportation) for commuter rail use or conversion to bike trails. Dick Williamson was interviewed for this piece and identified as a member of the Sudbury RTCAC. The article contains no disclaimer on Dick's part that he was not speaking for the Committee, and Pat Brown was very disturbed that this was the case. Dick claimed that he had told the reporter that he was not speaking for the RTCAC and that he was also a member of the Friends of the Bruce Freeman Rail Trail, which was not mentioned in the article. Pat Brown was very disturbed that Dick's remarks might be taken as official views of the Committee and that this was another breach of the rule that committee members may not provide any information on behalf of the Committee that has not been previously approved by the Committee. Chris said that the points attributed to Dick in the article were not factual, but Chris' point was debatable because no one could point out anything incorrect in the article. Pat was also concerned that all of the discussion in the article was about phase 3 of the Bruce Freeman Rail Trail, which she stated is no longer a part of the RTCAC mission. Dick pointed out that the RTCAC mission statement includes Phase 3, but the current directive from the BOS is to concentrate only on Phase 2. Dick offered to write a letter to the Globe to indicate that he had not been speaking as a representative of the RTCAC, but Chris countered that it was a meaningless exercise because it would not be published, not being of sufficient interest to the reading public.

Pat indicated that something had to be done to prevent members from providing information to the media when it has not been approved by the RTCAC, pointing out that this is part of the code of conduct for members of Town committees required by the BOS. She also pointed out that Dick had already apologized for releasing information to Sudbury residents before Committee approval in October 2006. Pat offered four options for the RTCAC: taking no action, apology, censure and expulsion. A vote of censure means that another transgression automatically results in expulsion. Bridget made a censure motion:

Motion to censure Dick Williamson for not anticipating that the reporter might include in the article his membership in the RTCAC and thus imply that his comments came from the RTCAC. This motion was seconded by Chris. Without further discussion the Committee approved that motion by a roll call vote. Pat Brown, Madeleine Gelsinon, Bridget Hanson, Chris McClure voted in favor; Betty Foley, Bob Hall, Dick Williamson voted against; and Nancy Powers abstained.

The meeting was adjourned at 9:00 P.M.

There was no community input.

Submitted by Bob Hall on November 1, 2007

Resubmitted on November 20, 2007

| Approved on November 29, 2007