

RAIL TRAIL CONVERSION ADVISORY COMMITTEE
Town of Sudbury, Massachusetts
Minutes of Meeting on January 24, 2008

Present: Pat Brown, Madeleine Gelsinon, Bob Hall, Chris McClure, Jennifer Pincus, Eric Poch, Dick Williamson, Carole Wolfe

Absent: Debbie Dineen (ex officio), Betty Foley, Dennis Mannone (ex officio), Nancy Powers, Bill Place (ex officio), Bridget Hanson

Also Present: Residents Dan DePompei, John Donovan, member of the Agricultural Commission, and Jim Nigrelli.

Community Input: The residents had no comments at this time.

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

Past Minutes: The minutes of the November 29, 2007 meeting were approved following several changes.

Old Business

Updates:

Pat Brown advised the Committee that the CPA-funded survey of existing conditions along the right-of-way (ROW) has been awarded to Atlantic Engineering and Survey Consultants, which came in with the lowest bid of \$39,900, far below any of the other bids. The very low bid, much below the \$105,000 awarded by the Community Preservation Committee, raised several questions, one being what would happen if the consultant cannot or does not fulfill all the requirements of the study within that budget. Jody Kablak, town planner, informed Pat that the town manager would be free to hire another consultant to finish the study as approved by Town Meeting using the residual monies. If, however, the town is satisfied with the results the remainder would revert to the CPA pool to which the money had been assigned when it was awarded.

Pat then announced the second meeting of the Bruce Freeman Rail Trail Coordinating Committee, originally scheduled for January 31 and rescheduled for January 30. Bill Place, the town representative on that committee is unable to attend, and Pat volunteered to go in his place. Dick Williamson asked Pat to inform Lawrence Cash of MassHighway, chairman of the Committee, about the town's request for funds up to \$801,696 from the Community Preservation Committee to purchase the Sudbury part of the ROW owned by CSX. The town has recently been awarded a Drinking Water Supply Protection Grant from the state for \$247,350. Chris McClure pointed out that the grant is first and foremost to protect Sudbury's water supply, but use of the land for recreational purposes, including the rail trail, is not precluded. Chris also noted that the town can request only half the amount of the Sudbury appraisal of the land (\$475,000) and will have to make up the difference between that and the negotiated price for the land with CSX.

Several other meetings of interest to the Committee that Pat had mentioned in an email message this past week included a meeting sponsored by the Metropolitan Planning Organization in Framingham about how the TIP list is developed. It will be held on February 13 in the Framingham Town Hall, Blummer Room, at 9:00 A.M. Pat also reported a conversation with

Ken Miller, a member of the Concord Bruce Freeman Rail Trail Advisory Committee, who said at the December 6 meeting of that Committee that “the Sudbury committee is divided.” Ken had asked Pat in a phone call on December 2 whether the RTCAC had reached a consensus on trail surface in Sudbury, and Pat said the RTCAC had not. Ken also asked whether Sudbury had committed to building a trail to Route 20; Pat said the right of way south of Chiswick Park was not owned by EOT, and the RTCAC was not working on it. Pat stated that, following this discussion, the Concord committee had recommended: an asphalt surface as far south as the Assabet River, a non-paved surface south of the Assabet, and not continuing construction south of Powder Mill Road until Sudbury approved a trail south of the Sudbury-Concord border.

There followed a brief discussion of the warrant for the upcoming Concord Town Meeting, which includes four articles having to do with the submission of a 25% design of the trail, one by the Board of Selectmen (BOS) asking the town for permission to submit to MassHighway the design by Vanasse Hangen and Brustlin, one asking for a different design, one asking for an asphalt surface throughout the entire length and one asking for \$50,000 to cover additional expenses, including design changes.

Pat called the Committee’s attention to another meeting that was held by the Transportation and Programming Committee of the MPO on June 21, 2007. The minutes of that meeting provide a record of how the change in the funding for Phase 2 that appeared on the TIP for 2008-20011 came about.

Project Tracking for the Notebook

Eric Poch has not updated the tracking sheet but will do so before the next meeting.

Subcommittee Reports

Commercial/Agricultural Subcommittee (Com/Ag)

Dick Williamson reported for the subcommittee, stating that the subcommittee was awaiting a response to the materials presented at the December 5 Agricultural Commission (AgCom) meeting. Carl Elkin, a Sudbury resident and member of the Friends of the Bruce Freeman Rail Trail (FBFRT), had presented the results of his research on rail trails in farmlands, with an emphasis on pesticide problems in Massachusetts and elsewhere around the country, to a joint meeting of the Grange and the AgCom on November 27 at which all of the AgCom members had been present. He was speaking as a private individual, not as a member of the FBFRT. He presented this information again at the December 5 AgCom meeting. The AgCom indicated that it would review his findings and respond to the RTCAC. Pat Brown was disturbed that the RTCAC was providing entrance to the AgCom's deliberations to someone who is not a member of the RTCAC, and pointed out that neither RTCAC nor the Com/Ag subcommittee had seen or approved any of the information Mr. Elkin had presented. Dick responded that Mr. Elkin had made a serious effort to provide information that he thought the AgCom would find helpful, and it was not obliged to respond to Carl’s submissions.

Madeleine Gelsinon attended the last meeting of the AgCom on January 2. She described several concerns that some of the members had about the trail. Paul Cavicchio was worried about troubles that spraying might introduce; Honora Haynes and Laura Abrams were both concerned about trespassing. Madeleine offered to meet with individual farmers to talk about their specific concerns, and both Mr. Cavicchio and Ms. Haynes requested one-on-one interviews. RTCAC members discussed the pros and cons of Madeleine’s meeting alone with the individual farmers, concerned that with only a single interviewer there was a greater chance of misinterpreting what

was said. Multiple interviewers, on the other hand, might be intimidating. The Committee then decided that the best way to avoid such mistakes was to have Madeleine submit her report of each interview to the individual farmer for his/her approval before presenting it to the RTCAC, making sure that each farmer knows the remarks he/she approves will be in the public domain. The Committee approved that procedure, which has the additional benefits that a single interviewer will provide a consistent viewpoint and a farmer's views are not vetted by the AgCom, which might also lead to mistakes.

The Commercial side of the Com/Ag Committee's charge has not yet been initiated. The Committee reviewed briefly the several business establishments that abut the trail, and Eric said he would have a definitive list by the next RTCAC meeting. The Chamber of Commerce, Eric noted, is not a cohesive body that is very active as a representative of the business community, so determining the concerns of business individuals should be done through the same kind of interview procedures as those approved for the farming community.

Conservation Subcommittee

Chris McClure introduced the submissions by him and Bridget Hanson of interviews with conservation officials in Groton and Pepperell on the Nashua River Rail Trail, in West Boylston, Holden and Rutland along the Wachusett Greenways, and in Hudson on the Assabet River Rail Trail. Bridget had specifically requested that the respondents' answers to the standard list of questions not be edited beyond correcting typos, errors in formatting and other non-substantive mistakes. This raised questions about how the interviews were conducted and written up, which led to other questions about other information not included in all of the submissions by Bridget and Chris. Pat requested that on these documents the following information appear at the top of each one: Date of the Interview, Name of the Interviewer; Interview Method Employed and the Version (Date of Approval by the RTCAC).

Chris called attention to the list of questions that the Conservation Commission (ConCom) had raised about the rail trail, which he had edited and distributed to RTCAC members. There was no further discussion of that list except to note that questions that Debbie Dineen hopes will be addressed in the Wildlife Study have been indicated by red font in the document. Those questions have not been made known explicitly to the consultant. Chris will ask Maureen if he might send those questions to the consultant, or whether they have to go through her. The ConCom was not involved with this study after the first meeting with the consultant. The study is underway and has finished collecting data for one season. The town manager, Maureen Valente, has indicated that she will decide whether the consultant will present a quarterly report to the public. Madeleine inquired about how the survey was being conducted, whether along the whole ROW or by some random sampling method. Chris did not know. He lamented that there has been very little discussion recently in the ConCom about the rail trail. He noted a similar lack of interaction between ConCom, Park and Recreation (Park&Rec) and the RTCAC. Chris learned about Park&Rec's exploration of the possible expansion of the playing grounds at Davis Field through discussions between Park&Rec and the ConCom. The RTCAC was not included in those discussions even though changes at Davis Field might have an impact on parking facilities and access to the BFRT. Again it was mentioned that there has been little interaction between the Sudbury Center Improvement Advisory Committee. and the RTCAC, although the RTCAC has made known its concerns to that committee. This in turn prompted a discussion of the role of the Committee's ex officio members, in particular Dennis Mannone who has not kept the committee apprised of his discussions about Davis Field. The plans for Davis Field will undoubtedly be discussed in much more detail later, but Pat feels that the RTCAC is

out of the loop when it comes to Park&Rec deliberations because the Committee has no representative from Park&Rec. Dennis should make an effort to attend the meetings or at least assign someone to take his place when he is unable to attend. Pat will request that Park&Rec be represented on the RTCAC, as described in the mission statement.

Submission of Items for the Notebook

History of the RTCAC

Pat Brown, who wrote the RTCAC history, asked that the Committee approve her latest submission, which contained primarily changes in format and other non-substantive details. She has located additional references, specifically those on the Bike Committee formed in the 1980's. Debbie Dineen has many files for that committee that, unfortunately, are not readily accessible. Pat and Debbie, however, will work to retrieve them. The Committee voted to approve the history with changes that Pat will make and with the understanding that none of the documents submitted for the Notebook are writ in stone at this time. They will be subject to later modifications as new information should be added or corrections are required

Regional History of Entire Trail

Carole Wolfe asked for several changes in this document. The first was that the initial estimate of the total construction costs for the Acton-Westford-Carlisle segment of the trail (Phase 2) was slightly over \$3 million, but the costs of the trail with the design in hand are now estimated to be over \$11 million. She felt strongly that people who read this history should be aware that the cost estimates can vary greatly over time, which might have important ramifications in how the residents view the desirability of the trail with the implications of an added tax burden of the real cost. Jennifer Pincus said that those figures would be included in the Notebook, but not in the history, rather in the section dealing with costs. Although Carole was not satisfied with this approach the Committee was in favor of adopting it.

Carole also objected to statements in the history to the effect that in Acton there were no objections to the rail trail. She claimed that Rex Lumber had objected to it, which led to a rerouting of the trail around its property. Other members of the Committee were of the view that Rex Lumber's concern about having the trail run through ROW property it had made use of for years was not an objection to the idea of the trail, which in fact it favored, but rather a problem it had that was resolved in negotiation.

Carole pointed out what she thought was another important omission in that it made no mention of the fact that the Concord BOS has submitted an article to the 2008 Concord Town Meeting to require the town's permission to submit to Mass Highway the 25% design completed by Vanasse Hangen and Brustlin, even though the November 2007 special town meeting in Concord absolved them of that requirement – this being a victory for opponents of the design.

Carole asked why the goals for the Sudbury and Concord Citizens for Responsible Land Stewardship (SCRLS and CCRLS) were not mentioned when the goals of the Concord Rural Trails (CRT) and Rail Trails for Everyone (RTE) were. Dick Williamson replied that the goals of the SCRLS with respect to the trail have not been made explicit. Jim Nigrelli from the public disputed this, and Jim will forward the SCRLS goals to Dick for inclusion in some future version of the document.

Carole reiterated a point that she had raised in the previous meeting, namely, that the MassBike Plan for the entire Commonwealth did not include funding for the BFRT south of Acton, leading one to question why Concord and Sudbury should spend money on additional studies of the trail when it appeared that there was little chance the trail through those towns

would be funded. Dick Williamson replied that he had talked with an author of the bike plan at Planners Collaborative, the contract firm that put together the plan. The author informed Dick that the entire BFRT was included in the plan. Dick offered to drop the statement until the final plan originally scheduled for release in December becomes public. Jennifer pointed out that most of the work on the corridor history had been done in November, and that events occurring in December should probably be omitted and included in a later version of the document simply because they had necessarily received little attention.

Carole also suggested an addition to the titles of the sections for the different phases of the trail in which the method of funding is noted. Thus, the title for Phase 1 would include a second line indicating that it was completely funded by state appropriations. The titles for Phases 2 and 3 would include statements to the effect that funding would be the responsibility of the individual towns. Dick indicated that this was a result of changes in the regulations governing rail-trail funding over the period in which the trail was created, and that these clarifying statements for each phase should describe the specific regulations that pertained to that phase of the trail. He proposed making this addition in a future version of the document.

A discussion followed in which Carole's request that the changes she had asked for be made before the document was approved was not generally accepted by the Committee. Carole was concerned that the approved document would become public information on the RTCAC website and would convey information that she thought was incomplete or erroneous. Eric pointed out that these Notebook submissions are attempting to serve two purposes: 1) to provide the BOS information on which they can base their decision to pursue development of the trail later this year, and 2) quarterly progress reports to them that the Committee decided to post on the website, which in most cases are essentially drafts. To convey the information that the posted progress reports are just part of the Notebook in preparation it was suggested that the Table of Contents for the whole document be posted with the partial drafts. The documents as approved at this meeting would be posted, and corrections or changes that Carole had requested might be made later if the Committee approved them after further discussion. Pat called for a motion to that effect, which passed. Carole and Chris voted against it.

Public Information on Other Trails

Assabet River Rail Trail: Bridget's interview with Michelle Ciccolo, assistant town manager in Hudson, was approved unanimously for inclusion in the Notebook.

Minuteman Bikeway: Dick Williamson reported that he attended a tri-town meeting on November 3, 2007, primarily to make contact with town officials and others involved in the trail.

Nashua River Rail Trail: Jennifer reported that she now has a list of people to call for general information about the trail.

Wachusett Greenways: Carole had nothing new to report. Dick Williamson announced that he had a CD with a Power Point presentation by Colleen Abrams, president of Wachusett Greenways, about that section of the trail, which is part of the Mass Central Trail.

Draft List of questions for Other Trails

This Committee has had Jennifer's list of questions for several months, and it appears satisfactory as the basis for extensive interviews.

Conservation Questions

Bridget has used a standard list of questions for interviews with conservation officials in six towns. As noted above those interviews have been approved for inclusion in the Notebook.

Organizational Issues:

Pat Brown reiterated that she will attend the meeting of the Bruce Freeman Rail Trail Coordinating Committee on January 30. She asked if anyone would be available to attend the MPO meeting on February 13 concerning the TIP process. Pat was asked who on the Committee would be sending Notebook items to Dennis Mannone who will maintain the master file. She volunteered to do that. She also asked members to think about the next sections of the Notebook and who might be responsible for them. Finally, Dick Williamson asked if there was any new information about the purchase of the CSX property and asked to be apprised if any becomes available.

The Meeting was Adjourned at 10:25 P.M.

Community Input

John Donovan inquired if the information obtained from the interviews with individual farmers would be edited by the RTCAC. He was assured that their comments, subject to their approval, would be accepted as is. He also voiced his support for the need for a trail manager, someone for citizens to call whenever there are problems, someone on top of all trail business. This appeared to be an extension of the idea put forth earlier in the meeting by Madeleine Gelsinon, namely the need for a manager to oversee all aspects of trail development. Pat clarified that the “trail project manager” functioning as the point person in the Town keeping track of the design, development and construction of a trail is distinct from the “trail manager” responsible for the ongoing trail operation, maintenance, and upkeep. John also proposed that volunteers in the senior work program might provide a source of help in the management of trail affairs. Eric suggested that the responsibilities of such individuals might be defined by an advisory committee, but how those responsibilities are met would be up to town officials.

Dan DePompei again expressed his concern over the several plans for bicycle and pedestrian facilities in the Commonwealth and the present uncertainty in those plans, which can make decisions by the selectmen difficult in the absence of funding priorities. He was referring in part to the point raised by Carole about Concord and Sudbury’s not being included in the state bicycle plan, noting also that some requests for funds seem time sensitive, such as a wetlands delineation that is valid for only three years. It was pointed out that the Sudbury BOS opted to pursue the survey of existing conditions knowing that the survey might have to be repeated in the likely case that development of the trail might not proceed that rapidly. However, the BOS felt that the information was critically important before design or development could proceed, and the survey could be updated or repeated if construction was long delayed, probably at a lower cost than the initial study.

Submitted by Bob Hall on January 29, 2008

Resubmitted on February 21, 2008

Approved February 27, 2008