

**RAIL TRAIL CONVERSION ADVISORY COMMITTEE**  
**Town of Sudbury, Massachusetts**  
**Minutes of Meeting on January 22, 2009**

**Present:** Pat Brown (chair), Debbie Dineen (ex officio), Betty Foley, Madeleine Gelsonon, Bob Hall, Jennifer Pincus, Bill Place (ex officio), Nancy Powers, Dick Williamson, Carole Wolfe

**Absent:** Bridget Hanson, Eric Poch

**Also Present:** Jody Kablack (Town Planner) and residents Jim Nigrelli, Dan DePompei and Melanie Weaver

**Community Input:** There were no comments at this time.

**The Meeting was convened at 7:30 P.M.**

**Discussion With Town Staff**

Jody Kablack led this discussion, helping to clarify the role of the three town staff members (Jody, Debbie Dineen, Bill Place) charged by the Board of Selectmen (BOS) with generating a concept of the Bruce Freeman Rail Trail (BFRT) in Sudbury. Their task is to provide more substance than that found in a feasibility study. Jody will not join the RTCAC but will try to improve communication between town staff and the Committee. She understands the frustration that RTCAC members have expressed and believes that much of the difficulty the committee has had reflects the lack of staff to support its work. In commenting on current conditions she indicated that the town will not request any CPA funds for the BFRT at town meeting in April beyond the \$25,000 from the remaining funds not spent on the survey of present conditions and wetlands. That survey is nearly complete except for the wetlands delineation, which will be performed in the spring with an expected completion in early summer. Some of the \$25,000 might be used to complement the survey or the wildlife study if either are found wanting. Jody pointed out that with the financial difficulties the town now faces recreation projects are not a high priority. She stressed that most people in Sudbury will use this potential trail for recreation, not transportation. Dick Williamson asked what projects are likely to receive CPA funds in 2009. Land purchases such as the CSX right of way (ROW) and other open lands are probably the main projects that will garner funds. Jody said that the selectmen faced with the present budget crunches are not working on the rail trail, and the RTCAC is far ahead of town staff in its work on the trail. The Committee's recommendations are appropriate to the design stages of the development. Debbie Dineen added that the title search is complete, as is the wildlife study, and the wetlands delineation will be done when the weather permits. She and Jody and Bill Place, called the Visioning Committee (VC) in this document, need to digest all of that information as well as the material in the Notebook before they can begin to arrive at some concept of what the trail might be and make any recommendations to the BOS.

Pat Brown inquired whether the title search is really complete, and Jody replied that only in a preliminary way sufficient to have the town go forward in its research on the project. Pat said that Article 22 indicated no such limitations on the search. Debbie responded that they did not want to get hung up on that issue. Town counsel has all of the documents involved in the search, which are open to public inspection. Jennifer Pincus asked if the need for town staff to catch up with the RTCAC's work implies that the RTCAC will not have to provide more

information in the immediate future. Debbie suggested that the Committee pick a date when it seemed appropriate to stop its work and summarize its findings, even if some aspects of the Notebook are not complete. She asked what the Committee presently thinks is missing. Dick Williamson noted that the Committee did not make up the list of items for the Notebook; Dennis Mannone did. There is no simple correlation between that list and what the Committee thinks can be provided at this time. Jody again urged that the Committee put what it has in the Notebook; the Visioning Committee may have time for an initial inspection in the next few weeks. She pointed out that the BOS gets its information from town staff, not from town committees. The BFRT is not presently a high priority for the VC, nor is it for the BOS, and she thinks the town should not spend a great deal of time on design aspects of the trail. Debbie emphasized that the VC wants a concept of the trail that it might present to the MassHighway Department (MHD) or other agencies to see if that concept is consistent with the requirements of those agencies -- without having those requirements shape the concept from the outset. Dick Williamson rejoined that MHD will meet such a request with, "Show us the plans".

Pat said that the Board of Selectmen had assigned the Notebook project to the RTCAC in June of 2007 and had specifically requested that the RTCAC update them on progress with the Notebook on a quarterly basis, but they haven't really looked at it. Additionally, she pointed out that the Notebook is not described in the RTCAC mission, and that RTCAC has been unable to obtain clarification from the Board of Selectmen on what information they actually want. Debbie replied that at the time of the last presentation in October the financial situation was not quite as bad as it currently is. Dick noted that at the last meeting of the TPPC (Transportation Planning and Programming Committee) he had learned that towns with transportation projects are in a chicken-and-egg situation in that projects will not be funded for design unless they are included in the Regional Transportation Plan, but inclusion there is dependent upon realistic budget numbers from the state. The RTP is to be updated during the first half of 2009, but without some commitment of funds the lack of funds becomes a self-fulfilling prophecy. Pat offered that the design and funding of trails are not independent considerations; choosing a funding mechanism such as the TIP process imposes design requirements on the project. Carole Wolfe noted that Acton has spent at least \$470,000 but has been removed from the TIP, an indication of the uncertainties in the whole funding process. She asked how the VC views the application of the town for inclusion on the TIP in which it listed the BFRT as the town's number one priority. Jody replied that the application was just a place holder on the TIP, a practice that is common in the town's approach to obtaining funds for various projects. Jody asked who had said the town had listed the trail as its number one priority. Carole replied it was Hayes Morrison the TIP manager. Jody replied that was all hearsay. No town documents say that. Debbie said that issue was all in the past. What the VC needs to do is look at all of the information we have to determine what might be possible. Is the trail a possibility? Even MHD may not be able to make it a reality. Jody added that the town is not completely inactive on trail matters; it has representatives on the Bruce Freeman Uniformity Committee and the MHD Bruce Freeman Rail Trail Coordinating Committee, not that the representatives will be able to commit to any of the proposals put forward, but rather to stay informed. Nancy Powers commented that she was glad that town staff were actually working on the trail project, and asked if it would be better if the RTCAC waited for the VC to indicate what it might need from the Committee. Jennifer added that she liked Jody's idea that the Committee summarize what it has at some point without the necessity of references. Dick noted that maintenance costs are one item that there is little information on, but the Committee could provide a summary of what it has learned, the

most important thing being that few towns have tracked such costs. Dick also requested that the VC inform the RTCAC when it needs additional information or has ideas it would like to have feedback on. Jody noted that the trail is a difficult and controversial project. The first report of the survey was incomplete and was rejected. Dick asked what holes in the research might be plugged by the \$25,000, as already discussed above. Jody answered that the fund would be used only if the town needs outside expertise, perhaps in the survey or wildlife studies. Madeleine asked if RTCAC members could attend the VC meetings. No, these are not public meetings and are carried out more efficiently only with working members. Pat Brown asked if all of the scheduled elements in the original plan have been moved out to 2009, as was stated by the Board of Selectmen at their October 28, 2008 meeting. Is that the plan now? Debbie replied, "There is no plan." Dick ventured that the state of the economy generally does not have significant effects on CPA funds, but it was pointed out that the state contribution to CPA town accounts has been significantly reduced again this year. Pat asked if there is any time line for the events involved in the work on the BFRT. Debbie answered that if Town Meeting does not pass the article requesting CPA funds for the trail it would have a lower priority in the selectmen's eyes. She hopes that the VC will have some results from their efforts by this coming summer. Jennifer asked if the results of the wildlife study will be available. The answer was yes; the Town Manager will see that they are posted on the town website. Dick Williamson asked if the wildlife study would propose solutions to problems it might see. Debbie answered that it would not. It was never expected that it would because Diane Boretos, the principal investigator, is not an engineer. She will, however, point out problems that she sees. Carole added that a recreation ecologist/conservation biologist is really what the study requires. She also asked if the new assistant to the Town Planner would be participating in forming the concept plan. Jody replied that the assistant would be an administrative assistant, not an assistant town planner. She also noted that the BOS and Town Manager would get the RTCAC' email messages, but she requested that the email traffic be kept light. The BOS is facing large budget issues, and it is not likely that the VC will present much information about the rail trail to them. Debbie added that there is not much for the RTCAC to do at present.

Pat then raised the question of when the RTCAC would meet next. The Committee decided it would not meet until what would be the regular time in May, namely Thursday the 28<sup>th</sup>. However, she did not want the present minutes to wait for approval all that time. Dick suggested that a brief meeting be held for the sole purpose of approving the minutes in February. To that end Pat will schedule a meeting for the regular or other February time when such a meeting will be possible. Comments on the minutes should be made at least a week before. Jody said that if the VC has anything to report to the RTCAC during May she would let the Committee know. Jennifer asked about what progress has been made by the Sudbury Centre Improvement Advisory Committee. Jody replied there are a lot of issues with that project, and it is not clear what will happen with it. A transportation engineer is now on board to help solve some of the traffic problems. Carole said that just a change in the sequence of the traffic lights in the center would probably help a great deal, as such a change did in Weston at Route 20 and School Street.

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

No additional public information was presented on the trails in other towns with the exception that Carole had obtained a list of DCR (Division of Conservation and Recreation) grants that included a grant for the restoration of four sections of the Wachusett Greenway in

Holden and Rutland. The total costs were \$59,000 from two sources, a DCR grant with a matching sum whose origin was not clear. She also stated she had read about an additional \$50,000 grant to pave a trail section, but she had no detail as to where the paving is located. Bob Hall asked if the Committee would get any of the information Eric Poch had obtained in conversations with Sudbury business men. No positive opinions were expressed. Madeleine said she had received no further communications from Paul Caviccio regarding the traffic counts of vehicles that cross the ROW running through his property. She doubted that any would be forthcoming. Bridget Hanson had asked Pat to tell the RTCAC that if there were questions or new data on the Assabet River Rail Trail she should be informed of them. Madeleine reported that the trail bridge over the river near Rt. 62 has not yet been completed.

At a previous meeting Carole had been asked to put references to Sudbury in the Mass Statewide Bike Plan into FAQ form, which she had done prior to the previous meeting of this Committee. There were disagreements about the answers to two questions, so the item was tabled until the present meeting. The answers were modified to the satisfaction of the Committee and the item will be added to the FAQ on the website.

### **Recommendations**

Pat had circulated by email two recommendations that she thought should be added to those already a part of the Notebook. The first, which would be the 5<sup>th</sup> in the Notebook, recommended that the "BOS should obtain a clear understanding, in writing, from the Executive Office of Transportation (EOT) on the conditions under which the right of way can be converted." The second recommended that the "Town Manager should post on the Town website the results of Town Meeting articles pertaining to conversion of the corridor." With only a few minor changes both recommendations were approved unanimously. The full text of both recommendations can be found on the Committee's website. In discussing them Dick Williamson noted that EOT has not stood in the way of trail development once full approval has been obtained from MHD and there is a clear commitment of funds for construction.

Dick also reported on the meeting of the Transportation Planning and Programming Committee (TPPC) that he attended on January 22. He said there are three major things it was concerned with: 1) The federal stimulus package will garner \$500 million for the state. About half of this will be allocated to the Boston MPO, and half of that must be spent within 120 days. If the state does not spend the allocation the money will go to other states. A list of projects must be submitted by March 1. There are some rail-trail projects in Massachusetts that are "shovel ready". Some projects now on the TIP may be removed because they will be funded by the stimulus [if they can be constructed with these funds.] 2) The updated Regional Transportation Plan (RTP), to be completed by March or April, must be amended to include two new requirements. It must be realistically planned and fiscally constrained, and the FHWA will not approve design funds unless construction of the project can be programmed within ten years of an award. After the RTP is completed the TIP can then be revised. The TIP is not likely to have much effect in 2009, but possibly in 2010. 3) The Accelerated Bridge Program to upgrade bridges in Massachusetts receives funding from a separate (state) program using bonds against future transportation revenues from the FHWA. That may free up funds for transportation enhancement projects, such as rail trails. Dick noted that David Mohler was briefly put in charge of the accelerated bridge program, but is now back as the chair of the TPPC. Barbara Lucas will resign from her post as Chief Transportation Planner at MAPC, effective the end of February 2009.

**The meeting was adjourned at 9:25 P.M.**

**Community Input**

Dan DePompei asked if he was correct in understanding that there will be a slowdown in work on the BFRT until the town staff comes up with some ideas about the trail. He was assured that was correct.

Submitted by Bob Hall on January 27, 2009

Resubmitted on February 18, 2009

Additional changes on March 10, 2009