

RAIL TRAIL CONVERSION ADVISORY COMMITTEE
Town of Sudbury, Massachusetts
Minutes of Meeting on October 25, 2012
Sudbury DPW Building Conference Room
275 Old Lancaster Road

Present: Pat Brown (chair), Madeleine Gelson, Bob Hall, Bridget Hanson, Jennifer Pincus, Nancy Powers, Dick Williamson, Carole Wolfe

Absent: Eric Poch

Also Present: Director of Public Works Bill Place, citizens Dan DePompei, Jim Nigrelli

Pat Brown drafted the minutes for this session.

The meeting was convened at 7:34 P.M.

Update on the Concept Plan: Director of Public Works Bill Place presented several documents to the RTCAC on behalf of Town Staff working on a concept plan for the Bruce Freeman Rail Trail (BFRT) in Sudbury:

1. A memo to the Board of Selectmen and the Town Manager from Planning Director Jody Kablack, Public Works Director Bill Place, and Conservation Coordinator Debbie Dineen dated October 24, 2012, containing an update on the concept plan.
2. Notes from a meeting between Jody, Bill, and Debbie with representatives of MassDOT (Massachusetts Department of Transportation) in Boston on August 23, 2012.
3. Notes from a meeting between Jody, Bill, and Debbie with representatives of MassHighway District 3 on September 27, 2012
4. Documents reprinted from the website of an organization, the Iron Horse Preservation Society, which converts rail right of ways into greenways. See www.ironhorsepreservation.org.

Town Staff discussed building a trail along the BFRT corridor in Sudbury (from the MBTA crossing near route 20 to the Concord border) with representatives from MassDOT. The trail design required by MassDOT calls for a ten foot wide paved surface with two foot cleared shoulders on either side. This design was derived from standards created by the American Association of State Highway and Transportation Officials (AASHTO); Town Staff refers to this design as “an AASHTO trail”, which is also the design described in the Massachusetts Highway Project Development and Design Guide of 2006. Construction costs for an AASHTO trail are estimated between \$1.5 and \$2.5 million per mile. MassDOT

representatives and Town Staff agreed that an AASHTO trail which would meet Sudbury's wetlands and stormwater bylaws and state and federal environmental requirements could not be built within the railroad right of way (ROW).

Various types of mitigation proposed within the ROW such as boardwalks, elevating the trail, and narrowing the trail for short stretches over the most sensitive areas were also insufficient to meet the wetlands regulations and local standards. Town Staff also explored the option of occasionally leaving the ROW to redirect the trail around the most sensitive areas. This "segment bypass" option would route the trail on walkways, roads or bike lanes outside the ROW. Sudbury's walkways are five feet wide; the MassDOT standard for two-way pedestrian traffic is six feet wide. Bill used a large map to point out the areas in which a segment bypass using walkways could be considered in Sudbury. Redirecting the trail to bike lanes is less attractive. A road with bike lanes is a minimum 30-foot width (two 11-foot wide auto lanes with a 4-foot wide bike lane on either side), and constructing town roads to this width is both expensive and environmentally constrained. Town Staff recommended against pursuing bike lanes as a first option.

MassDOT will not fund construction of a trail or any parts of a trail outside of the ROW, and specifically requires an AASHTO trail to obtain funding for trail construction within the right of way. Such a trail could not comply with local wetlands and environmental bylaws. MassDOT described Mass Highway District 3 as "the permitting agency"—that is, the agency that applies for the permits rather than the agency that grants them. Mass Highway does not apply for permits under local bylaws, but conforms to state and federal law only.

MassDOT, which controls the former rail ROW under consideration, would permit Sudbury to construct a greenway along this corridor. A greenway is primarily a recreational rather than a transportation facility, does not require using the AASHTO design, and is not eligible for transportation construction funding. Funding for greenways can be obtained under the Recreational Trails Program (RTP), which awards a maximum grant of \$50,000. The town would require permission from MassDOT to remove the rails and could then contract with Iron Horse Preservation Society, whose documents were distributed, to perform the conversion of the ROW in exchange for the rights to sell the rails.

Regardless of the type of trail constructed, contamination of the right of way by residues left by earlier train use must be addressed. Bill stated that the state views the entire right rail line as being contaminated.

Town Staff hopes to present their recommendations to the Board of Selectmen in November. The RTCAC is very interested in assisting Town Staff in further development of the concept plan in any way possible; the RTCAC's eight years of study have enabled members to consider a wide range of topics and to conduct extensive research. Town Staff will contact the RTCAC after they (staff) have met with the Selectmen to advise us when we can schedule a meeting and how we can help.

The RTCAC thanked Bill for his time and his presentation. The committee will follow the proceedings with the Board of Selectmen with interest, and awaits hearing from Town Staff on next steps.

There was no public comment.

Minutes: The minutes of the meeting on May 8, 2012, were approved unanimously.

Updates since the May, 2012 meeting

Town Meeting Votes

Both Article 34: Should the Town of Sudbury create a recreational Rail Trail more or less on the old rail right of way in Sudbury known as the Bruce Freeman Rail Trail (BFRT)?

and Article 35: Should the Town of Sudbury move forward with designing a 0.5 mile segment of the Bruce Freeman Rail Trail (BFRT) in north Sudbury from Rt. 117 at Davis Field to the Concord Town border?

passed at Sudbury's 2012 Annual Town Meeting in May.

Update on "Bring the Trail to Sudbury"

Following the Town Meeting votes concerning the rail trail in Sudbury at 2012 Town Meeting, the Board of Selectmen had several discussions over the summer on July 10, July 31, and August 15 to formulate a plan on how to proceed. These discussions culminated in the recommendations that Bill discussed with the RTCAC earlier this evening.

Communications Policy:

Pat reminded the Committee that it is our policy not to make statements that could be attributed to the RTCAC.

Proposed Agenda Items:

Next Meeting Date: The RTCAC will schedule its next meeting in conjunction with Town Staff after they have met with the Board of Selectmen. The tentative estimate for the RTCAC's next meeting is sometime in January.

RTCAC submission to Sudbury's 2012 Annual Report: Bob Hall handed around a paper copy of an amended draft of the report Pat had e-mailed the committee on October 17. The report was approved as amended, with one other minor change. Further changes may be approved before the report is submitted, but if they are not required then Pat will provide a printed copy of this approved report for RTCAC members to sign.

Massachusetts Rail Trail Advisory Board (MARTAB): Dick Williamson, who serves on the MARTAB, reported that the organization is planning a conference of all rail trail organizations in the spring of 2013. The Board is also refining their method of evaluating grant proposals. The Recreational Trails Program (RTP) receives a dedicated portion of transportation funding, which will be affected under the new federal surface transportation authorization, MAP-21.

CPA update: The Community Preservation Act was amended last summer. Changes that affect Sudbury include the provision that allows the use of CPA funds for recreation projects on lands that were not originally acquired using CPA funds, which permits using CPA funds to improve Davis or Feely Field or on the Melone property. The use of CPA funds for artificial turf is expressly forbidden, but the construction of all the layers below artificial turf is still allowed. The provision that prohibits using CPA funds to acquire land which can revert to other uses (such as the CSX corridor) has not been altered.

Park and Recreation Commission Update: Dick Williamson, who serves on the Park and Recreation Commission, reported that the Gale Study is 90% complete pending some demographic research and predictions. The highest priority is for girls' softball fields at the high school, followed by a plan for the Melone property. The Gale study does not address parking requirements at Davis Field, which would potentially serve as rail trail parking.

Status of CSX Negotiations

Sudbury filed for a 180 day extension of negotiations with CSX on October 23.

The Meeting was adjourned at 8:30 P.M.

Community Input

Dan DePompei reported that he has specifically discussed trails with the national rails to trails organization, and they have no problem with deviating from the right of way.

Respectfully submitted by Pat Brown October 28, 2012

Resubmitted by Pat Brown November 17, 2012

August 23, 2012. 1:30 – 3:00 pm

MA DOT Office, Boston, MA

Bill Place, Debbie Dineen, Jody Kablack
Lou Rabito, MA DOT Bike/Ped Coordinator
Josh Lehman, MA DOT Planning
Christine Bettin, Central Transportation Planning Staff
Michael Trepanier, MA DOT Environmental Planner
Victoria Parsons, MA DOT Wetlands Planner

Discussion of Sudbury portion of the BFRT

Sudbury began by describing some of the challenges that have been presented regarding construction of a rail trail within the corridor. There are significant wetlands along both sides of the corridor for a large portion of its length. There are numerous streams and vernal pools. Several major land owners who abut the trail are opposed, including some influential business owners. A 4 season wildlife study has been completed and recommends 2 sections of the corridor where there may be unmitigatable impacts to wildlife habitat. Sudbury has spent \$170,000 on preliminary planning and design, but these issues keep getting in the way of proposing a design that fits Sudbury. To add to these challenges, the Board of Selectmen recently agreed to adhere to local regulations in the construction of a rail trail, including wetlands and stormwater bylaws which exceed state standards. There is some reason to believe that a rail trail within the corridor cannot be built to local standards and would not be permissible.

We floated some ideas on building portions of the trail within the corridor, and bypassing the corridor in other locations, particularly where the Wildlife study indicated maximum impacts from construction. In these places, we would either use the existing walkway network along the streets to link from one segment to the next, or building new walkways. The bypass areas are predominantly located between Pantry Road and Morse Road, and between Old Lancaster Road and the intersection with the Mass Central rail line.

MA DOT discussed their goals for this rail trail. They are very interested in continuity of the trail to the Mass Central Rail Trail, which intersects in Sudbury, particularly since it is under construction north of Sudbury. They are willing to consider alternative locations for the trail, alternative widths and surface treatments. They encouraged us to review the AASHTO Guide for the Development of Bicycle Facilities so that what we decide on meets the criteria for multi-modal use. In general, they do not believe the existing constructed width of our walkways (5') is wide enough for bi-directional travel, and AASHTO standards discourage the use of sidewalks at the roadway edge for multi-modal trail use, as it tends to push some users into the road and causes safety issues. However, given Sudbury's challenges, they may consider additional configurations.

We had a few questions that we needed input from MA DOT on.

1. Who will be the applicant for the construction of the rail trail?

The towns are usually the applicant through the 25% design, and then MA DOT takes the project over to 100% design and construction. They believe they are exempt from local bylaws and would advise against permitting this project under local bylaws.

2. Would they fund a non-paved trail for the entire length? Does this meet their standards? Would they allow it if that is what Sudbury desires?

No, MADOT does not fund "greenways". Other agencies do. However they may allow development of the corridor into a greenway. They believe they allowed a greenway within their ROW in Plymouth. They have supported some unpaved surfaces, and some reductions in width. Boardwalks over wetlands should also be considered. These questions should also be posed to MADOT District 3 office in Worcester, since they are the permitting agency.

3. Is the entire corridor assumed contaminated? Can we cut down the surface in order to widen the usable portion?

DEP considers it contaminated, however we could remove material but that tends to significantly increase the cost to construct. Capping it with either pavement or soil is the most cost effective solution.

4. What is the going rate for construction to full specifications?

\$1.5 to \$2.5 million per mile, depending on the physical constraints encountered. Sudbury's length is 4.4 miles (\$6.6 million to 11 million).

We were encouraged to set up a meeting and discuss these issues with the District 3 office. They tried to participate via phone, but the line was not working. They also advised us to get more information on the bypass areas – width of the roads, classification, speed limits, intersections, accessibility – in order to demonstrate compliance with their requirements to the degree feasible. If the District 3 office is amenable, we will need to show some detail on a survey plan which they will then evaluate.

September 27, 2012. 9:00 – 10:00 am

MA DOT District 3 Office, Worcester, MA

Bill Place, Debbie Dineen, Jody Kablack
Ann Sullivan, District 3 Project Engineer
Arthur Frost
Rick Handfield
Tom Emerick

Discussion of Sudbury portion of the BFRT

The DOT participants were aware of the discussion at the August 2012 Boston DOT meeting. Arthur Frost began by suggesting that Sudbury may want to segment the project and submit only those portions that are less controversial or easier to build. He assumed that there were segments that we would want to build to full specification with state funds through the MPO process. We again discussed the problems with adhering to the local bylaws and that this may not be permissible.

District 3 was fairly unfamiliar with the progress of Concord and towns north of Sudbury on the Bruce Freeman Rail Trail, as those towns are in MA DOT District 4. Debbie clarified for the group that the official BFRT ends at the intersection of the Mass Central line in Sudbury.

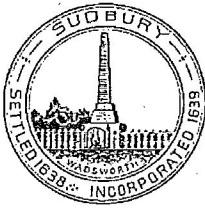
The discussion then shifted to the idea of creating a Greenways along the corridor which would provide a trail surface but not one that would be funded through the state. Greenways are typically soft surfaces, and Arthur pointed to the Wachusett Greenway as a good example of a MA project. It was stated that DOT would likely allow the corridor to be used as a Greenway, but it would not be eligible for transportation funds. Other funding sources may be available through the MA Division of Conservation and Recreation. Arthur also stressed that grassroots fundraising and volunteer assistance with constructing a trail is also popular, as it builds wider support for a project.

In order to build a Greenway, Sudbury would need a permit from the DOT Rail Unit, starting with clearing the area and removing the rails. Some communities like the company Iron Mountain, who factors in the scrap value of the rails in their pricing. DOT's opinion is that this work would need to be bid according to MGL c. 30B.

The group continued discussion on the bypass concept which was discussed with the Boston representatives, and the specifications for bike lanes on the bypass roads. Due to the narrowness of most Sudbury roads, the 30 foot section required for official bike lanes (11 foot travel lanes, 4 foot shoulder for bikes one on each side) would be very difficult. MA DOT would only fund bike lanes if they conform to the standards.

Should the Town decide to move the trail entirely out of the railroad right-or-way, it is unlikely, at least in today's thinking, that the EOT would proceed to develop a bike trail on the r.o.w. DOT will not force this on a community that is not behind the project.

Meeting adjourned.



Town of Sudbury

CONSERVATION

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Wetlands • Conservation Land Management • Land Protection • Stormwater

To: Sudbury Board of Selectmen
Maureen Valente, Town Manager
From: Jody Kablack
Bill Place
Debbie Dineer
Date: October 24, 2012
Re: Bruce Freeman Rail Trail Concept Planning Update

We are pleased to present to you an update on the concept planning for the proposed Bruce Freeman Rail Trail. Using the direction you provided at your August 15, 2012 meeting, we have looked at the following five options for the rail trail:

1. No build;
2. Build to AASHTO guidelines;
3. Segmenting the trail and developing bypasses;
4. Greenways; and,
5. Adding bike lanes to existing roads.

We have had two meetings with MassDOT to discuss, in general, the scope of deviation they would accept from the AASHTO guidelines in consideration of the above options. We will briefly discuss each option.

Option #1 No Build

No build is always a possibility; however a recent Town Meeting Non-binding Resolution indicated that the voters wanted to see a rail trail constructed.

Option #2 Building to AASHTO Guidelines

Building to AASHTO guidelines is incompatible with the current federal, state, and local bylaws (particularly stormwater and wetland permitting). The desire for the trail may not warrant the risk of environmental degradation (as indicated in the Town's studies would occur) if environmental regulations are waived.

We met on August 23, 2012 in Boston with the MassDOT planners, bike/pedestrian coordinator, and environmental and wetlands planning staff members. We discussed the specifics of the permitting challenges, especially in light of the Selectmen's criteria to have "the best trail for Sudbury" and apply all local bylaw requirements. The MassDOT participants all agreed that with Sudbury's site-specific natural resources, the local bylaws, the new EPA Phase II requirements, and the MA Stormwater Management Regulations, it does not appear that a trail built to AASHTO guidelines is able to be accomplished and still meet these environmental protection permitting challenges. They suggested not holding the project to local bylaw standards.

Mr. Josh Lehman, MassDOT Planning Director, stated that Sudbury "raises compelling points" and that Sudbury might want to consider something other than a shared-use path. He further stated that MassDOT is primarily involved in developing transportation corridors that meet transportation needs, and that a greenway might be a better fit in the Sudbury environment. They suggested we meet with our local MassDOT District 3 Engineers in Worcester to discuss more details of the trail options.

Option #3 Segmenting and Bypassing

On Sept. 27, 2012 we meet with four District 3 Engineers, led by Arthur Frost. Mr. Frost suggested Sudbury look at which sections of the rail trail we think might be able to be permitted to AASHTO standards and begin with those sections. Segmenting the trail development and moving sections out of the rail bed and onto walkways might be another option. All parties agreed that a trail which meanders off and on the rail bed might be difficult to facilitate, especially if it involves numerous roadway crossings. However; a walkway already exists on at least ½ the main route from Rt. 20 to Rt. 117. Walkways cost only 1/10th of the cost of a trail to AASHTO guidelines. This option could be further investigated.

We do not see the section of the BFRT from Rt. 117 to the Concord line as any less problematic, particularly environmentally, than any other section of the trail.

Option #4 Greenway

Greenways are trails with a recreation, rather than a transportation, main purpose. A greenway in Sudbury is very likely able to be permitted and will significantly reduce environmental impact and cost. Greenways can be multi-purpose and ADA-compliant.

MassDOT considers a greenway a recreational trail rather than a transportation trail. Although the Executive Office of Transportation (EOT) owns the corridor, a greenway is permitted, however the funding could not come through the state and federal funding sources typically used for rail trails. Funding might be available through the MA Dept. of Conservation and Recreation. CPA funding is the most likely source.

Mr. Frost and others concurred with the DOT Boston staff that a greenway might make the most sense in Sudbury. They explained that we would need a permit for construction of a greenway from the DOT Rail Unit. We would begin by removing the rails and ties and then grading the rail bed. There might be the ability to offset much of the cost by working with companies that might take the rails and ties and provide the re-grading in exchange.

Option #5 Bike Lanes on Existing Roads

In order to accommodate the bicycle enthusiasts, we talked briefly about constructing bike lanes on existing roads. It was determined that Sudbury's narrow roads cannot accommodate the 30' pavement width needed to design to MassDOT standards. This includes providing 11' travel lanes and 4' shoulders in each direction.

At this time we would like to present these options so we can move forward with further investigation of the Selectmen's preferences. We anticipate the next step to be developing the very specific pros and cons of each option that the Selectmen wish to have pursued. We see an opportunity for RTCAC input in the next phase of this concept plan development. We recommend that the No-Build option and the Road Widening for Bike Lanes options are not investigated further at this time.

We look forward to discussing this with you further in the near future.

Attachments

Cc: RTCAC (by B. Place)