

Town of Sudbury

TOWN OF SUDBURY COMMUNITY PRESERVATION COMMITTEE

PROJECT SUBMISSION FORM

Submitter: *Maureen Valente*

Submission Date: Oct. 11, 2007

Group or Committee Affiliation (if any): *Town Manager*

Submitter's address and phone number:

Town Manager
278 Old Sudbury Rd.
Sudbury, MA 01776

Purpose (please select all that apply):

Open Space

Recreation

Submitter's email address: *valentem@sudbury.ma.us*

Project Name: **CSXT Rail Corridor Acquisition**

Project Description: Acquisition in fee of the 1.2-mile railroad corridor from the Chiswick Park Rd. off Union Ave. south to the Framingham line (9.76 acres)

Costs:

Fiscal Year	Total Project Cost	CPC Funds Requested	Other Funding Sources (amount and source)
2009	\$801,696 max	\$801,696 max	\$247,350 (MA Drinking Water Grant applied for 9/5/07; possible Water District participation)
2010			
2011			
2012			
2013			
Total			

How does this project meet the General Criteria and Category Specific Criteria for CPC projects (see attached)? *This acquisition meets ALL of the General Criteria, 9 of the 11 Open Space Criteria, and ALL 6 of the Recreation Criteria. See Attached Narrative and the CPA criteria listings. All the criteria that are met by this proposal are highlighted in yellow.*

Does this project fall within the jurisdiction or interest of other Town Boards, Committees or Departments? If so, please list the boards, committees or departments, whether applications and/or presentations have been made, and what input or recommendations have been given: *Board of Selectmen; Planning Board; Sudbury Water District; Park & Recreation Commission; Ponds & Waterways Committee; Rail Trail Conversion Advisory Committee will all be parties likely to be involved at the appropriate time. Acquisition of this corridor overlaps with goals of all of these Committees and Boards.*

We are still in negotiations with CSX, therefore no public presentations will be given at this time. The Town Manager, Conservation Coordinator, Planning Director, and Water District Superintendent have been involved in the grant application to the State.

For Community Preservation Committee Use:

Form Received on: _____

Project Presented to CPC on: _____

Reviewed by: _____

Determination: _____

**CPA Application
CSXT Rail Corridor Acquisition
PROJECT NARRATIVE
Oct. 10, 2007
Town of Sudbury
Town Manager**

The acquisition is a rail bed owned by CSXT Corporation that is a 66' wide corridor 6,733.5 linear feet long. It contains a total of 9.76 acres. The appraisal completed for the Town by Avery Associates values this parcel at \$475,000. The CSX appraisal values the property at \$788,496.

The land adjacent to the corridor passes through mostly wetland, floodplain, and riverfront areas. The rail bed is located on raised fill through these wetland resources. Lack of maintenance has the potential to create erosion and sedimentation into these wetland resources in Zones I, II, and III of the five nearby wells. Potential culvert blockages could impact water quality and quantity.

Sudbury's Master Plan, dated 2001 and titled "Sustainable Sudbury", specifically has acquisition of the CSX corridor as a goal for water supply protection, open space, and passive recreational use. The Water Resource Protection District includes this rail corridor due to the close proximity and ground water flow direction to the five aforementioned wells. Acquisition of the CSX rail corridor will eliminate a major source of potential pollution of groundwater in Zones I, II, and III of these five wells clustered south of Rt. 20.

The parcel currently is not operating as a rail line. The rails and ties were removed in 2005-2006. CSX filed for abandonment in June 2001 with the federal Surface Transportation Board (STB). Through the STB process, CSX and Sudbury have entered into formal negotiations for Town purchase of this parcel. A small section of the corridor may be used by the Town in the future as part of a Route 20 bypass or realignment.

Should the Town be successful in acquiring the parcel, the parcel will provide a passive recreational trail compatible with the goal of water supply protection. This rail corridor connects to the proposed Bruce Freeman Rail Trail and the proposed Wayside Rail Trail to the north. Should the Town of Framingham (or other public entity) acquire the continuation of the CSX rail corridor to the south of Sudbury, potential connections to other rail trails may be possible. In addition, this corridor bisects the town-owned Mahoney Farm parcel. Alternative non-vehicle access to the eastern portion of the Mahoney parcel will be gained by town ownership of this corridor.

The largest threat facing the parcel at this time is the unknown. Should the Town of Sudbury be

unsuccessful in its acquisition efforts, CSX has informed the Town of its fiduciary duties to sell it for the highest and best use to meet the obligations to the CSX stockholders. The ultimate use of the parcel could be a private railroad to continue to service lumber yards located to the north; sale to abutters for expansion of commercial or light industrial uses in the area of Rt. 20; acquisition by utility companies; or private acquisition eliminating Water District maintenance access; etc. Due to the importance of this parcel for water supply quantity and quality, it makes sense to eliminate any potential incompatible uses, develop the area for passive recreation, and bring the property under the control of the Town.

The Town of Sudbury and the Sudbury Water District (separate entity) are partnering for the acquisition of this property. Both the Town and the Water District funded the cost of the Avery appraisal. It is expected that both parties, if successful, will work together to provide public trail access compatible with the water supply.

Project Schedule:

- Now – Nov. 2007 – negotiate with CSX on purchase price
 - _ submit funding request to Community Preservation Committee (CPC)
- Nov. 2007
 - _ enter into Purchase & Sale (must be completed by Nov. 7, 2007 per STB)
 - _ obtain MassDEP approval
 - _ conduct Title Search
- April 2008
 - _ CPC presents funding Warrant Article at Town Meeting (with Article 97 provisions as part of Warrant Article)
- June 30, 2008**
 - _ **purchase completed**

ESTIMATED PROJECT COSTS

Town of Sudbury
Conservation Commission

Estimated Project Cost:

Acquisition price:	\$788,496 high - \$475,000 low
Appraisal (paid*)	
Title Search	12,000
Legal Fees (document prep, etc)	1,200
 Total Estimated Cost:	 <u>\$ 801,696 high - \$488,200 low</u>

Grant Amount Requested from state: \$247,350 (50% of Town's appraisal and costs including the expended \$5,000 from CPA funds for the appraisal, \$1,500 from Water District)

Summary:

- Worst case acquisition cost (land only) = \$788,496 (assumes Town pays full CSX appraisal price and no grant or Water District participation)
- Best case " " " " = \$237,500 (assumes CSX accepts Town appraisal and full 50% of cost is paid by state with a successful grant)

TOWN OF SUDBURY COMMUNITY PRESERVATION COMMITTEE

General Criteria

The Sudbury Community Preservation Committee will give preference to proposals that address as many of the following general criteria as possible:

- Are eligible for Community Preservation Act (CPA) funding according to the requirements described in the CPA legislation;
- Are consistent with the town's Master Plan, Open Space and Recreation Plan, Land Use Priorities Committee Report, Town-wide Comprehensive Facility Study, Community Housing Plan, and other planning documents that have received wide scrutiny and input and have been adopted by the town;
- Receive endorsement by other municipal boards or departments.
- Preserve the essential character of the town as described in the Master Plan;
- Save resources that would otherwise be threatened and/or serve a currently under-served population;
- Either serve more than one CPA purpose (especially in linking open space, recreation and community housing) or demonstrate why serving multiple needs is not feasible;
- Demonstrate practicality, feasibility, urgency;
- Demonstrate that the project can be implemented expeditiously and within budget;
- Demonstrate that project alternatives, and alternative funding mechanisms, have been fully explored;
- Produce an advantageous cost/benefit value;
- Leverage additional public and/or private funds; and
- Preserve or utilize currently owned town assets.

Category Specific Criteria

Open space proposals that address as many of the following specific criteria as possible will receive preference:

- Permanently protect important wildlife habitat (nesting sites), including areas that:
 - are of local significance for biodiversity;
 - contain a variety of habitats, with a diversity of geologic features and types of vegetation;
 - contain a habitat type that is in danger of vanishing from Sudbury; or
 - preserve habitat for threatened or endangered species of plants or animals;
- Preserve Sudbury's rural and agricultural character;
- Provide opportunities for passive recreation and environmental education;
- Protect or enhance wildlife corridors, promote connectivity of habitat or prevent fragmentation of habitats;
- Provide connections with existing trails or potential trail linkages;
- Preserve scenic views;
- Border a scenic road;
- Protect drinking water quantity and quality;
- Provide flood control/storage;
- Preserve important surface water bodies, including wetlands, vernal pools or riparian zones; and
- Preserve a primary or secondary priority parcel in the Open Space Plan.

Historical proposals that address as many of the following criteria as possible will receive preference:

- Protect, preserve, enhance, restore and/or rehabilitate historic, cultural, architectural or archaeological resources of significance, especially those that are threatened; and in the case of proposals on private property, the proposal and/or proponent meet certain economic criteria as may be required by the Community Preservation Committee;
- Protect, preserve, enhance, restore and/or rehabilitate town-owned properties, features or resources of historical significance;
- Protect, preserve, enhance, restore and/or rehabilitate the historical function of a property or site;
- Project is within a Sudbury Historic District, on a State or National Historic Register, or eligible for placement on such registers, or on the Sudbury Historic Properties Survey;
- Project demonstrates a public benefit; and
- Project demonstrates the ability to provide permanent protection for maintaining the historic resource; and in the case of proposals on private property, the proposal and/or proponent have demonstrated additional protective measures and have met additional criteria, as may be imposed by the Community Preservation Committee, to ensure the continued permanent protection of the historic resource.

Community Housing proposals that address as many of the following criteria as possible will receive preference:

- Contribute to the goal of 10% affordability;
- Conform to the town's Community Housing Plan;
- Promote a socioeconomic environment that encourages a diversity of income;
- Provide housing that is harmonious in design and scale with the surrounding community;
- Intermingle affordable and market rate housing at levels that exceed state requirements for percentage of affordable units;
- Ensure long-term affordability;
- Promote use of existing buildings or construction on previously-developed or Town-owned sites;
- Convert market rate to affordable units; and
- Give priority to local residents, Town employees, participants in the Sudbury Metco program and employees of local businesses.

Recreation proposals that address as many of the following criteria as possible will receive preference:

- Support multiple recreation uses;
- Serve a significant number of residents;
- Expand the range of recreational opportunities available to Sudbury residents of all ages;
- Jointly benefit Conservation Commission and Park and Recreation Commission initiatives by promoting passive recreation, such as hiking, biking, and cross-country skiing, on town owned property;
- Maximize the utility of land already owned by Sudbury (e.g. school property); and
- Promote the creative use of railway and other corridors to create safe and healthful non-motorized transportation opportunities.