



Town of Sudbury

Planning and Community Development

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TO: Board of Selectmen
FROM: *JK* Jody Kablack, Director of Planning and Community Development
Jim Kupfer, Assistant Planner
RE: Mass Central Rail Trail
DATE: January 7, 2015

The Planning and Community Development Department has continued its research on this project, including best practices for design and construction, cost effective strategies for creating a rail trail, and other potential options for this corridor. Over the last few months, more information has presented itself which merits discussion by the Board as to how to proceed.

- We have spoken with 2 qualified engineering firms on the design/build concept and have received negative feedback on this approach (FST Memo Attached).
- We have met with DCR and have received preliminary approvals to proceed with our project. However no formal approvals are in place yet.
- We have met with other abutting communities, including Wayland, and understand that not all communities support a paved surface. Wayland is proceeding with a stone dust surface at the current time. We will continue to discussion how to best proceed in a collaborative manner with the other communities.
- We have had discussions with DCR and MAPC on state funding of the entire rail trail. Further research has failed to find funding for this rail trail in either the 2012 or the 2014 State Transportation Bond Bill. However, there is support from all the communities to work together to pressure the state to fund the trail. MAPC is taking the lead on this initiative.
- We have further researched design/build and design/bid/build processes, including best practices for construction of rail trails and understand there is merit to each.
- We have further researched Iron Horse Preservation Society and note that several Massachusetts communities (Newton, Hanover, Danvers) have discovered performance issues with their work, particularly with removal of rail road ties, stabilization of surface treatment (due to minimal design and no oversight) and delays in completion of projects.
- We have met with the President of Sudbury Greenways to discuss collaboration efforts between the Town and Sudbury Greenways and intend to continue to do so.
- We have met with NStar, who has discussed a potential project along the corridor which may affect this project (discussed below).

Our previous recommendation for this project was to seek CPA funding for a design/build concept for Phase 1 of the trail. This course of action was dependent on receiving funds for the preparation of design specifications and bid documents (received from a Reserve Fund transfer in November 2014) and the donation of funds from Sudbury Greenways for wetland delineation and ANRAD permitting by the Conservation Commission (no funds received to date). The need to identify the wetland resources along the corridor early in the project is a key element of the design/build approach, as it may directly impact the total cost of the project. The \$300,000 estimated cost of the project assumes few wetland issues, and costs could increase if extensive permitting is



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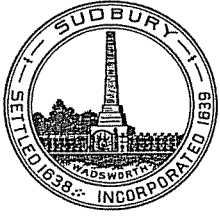
required. To date we do not know the extent of the wetland resources, nor the extent of permitting that will be required to build Phase 1, and are therefore skeptical of the total cost of the project.

Additionally, another project has been brought to the Town's attention that may provide an opportunity for construction of the rail trail at no cost to the Town. This project is the installation of a new transmission line by NStar from Sudbury to Hudson. One of the alternatives NStar is reviewing is construction of the line along the Mass Central Rail Trail (either underground or above ground), which is the most direct route between the 2 towns. NStar officials are currently negotiating a lease with the MBTA for use of the corridor (the lease that DCR has for the rail trail does not exclude other uses in the corridor), surveying the corridor (including wetland delineation) and reviewing several other alternatives outside the corridor. They are actively engaged in this project, and have stated that if they are going to proceed with the project along the corridor, they will be permitting the project by the end of 2015, and constructing in 2018-2019. If they proceed with the project along the rail trail corridor, they will construct a 12 foot wide access road which they will share as a rail trail at no cost to the Town or DCR.

NStar has also agreed to share its survey and wetland data with the Town once it is completed this spring, which will eliminate the need for public or private funds to compile this information.

Therefore, a new process and timeline might be more appropriate for this project. We offer the following for your consideration:

1. Creating a rail trail at a low cost and in the short term is a valid purpose and has appeal to many residents. However after further study the Planning and Community Development Department now believes that a more conventional approach to this project should be undertaken. After speaking with 2 engineering firms with extensive experience in rail trail design and construction, we believe the Town will be better served by proceeding in a two-step approach for this project, as is typically done. We believe that the trail should first be designed and bid, and then constructed. The two-step approach will take approximately 6-9 months longer than the design/build approach, but will (1) expedite wetland permitting and remove potential duplication of efforts and costs that may result in the design/build approach; (2) enable a better assessment of the construction costs of the project before requesting funds at Town Meeting; and (3) reduce the need and cost for the Town to hire a separate engineer/project clerk (in design/build the engineer works for the contractor, not the Town). These issues are further explained in both attachments to this memo.
2. The NStar project, its scope and schedule, will be better known to the Town in the next 6 months. If it is a realistic project, no Town funds will be needed. This will push the completion date of a rail trail back 2-3 years.
3. In order to keep momentum going, funds for the design of the trail could be requested at the 2015 Annual Town Meeting (estimated at \$110,000), and held until a determination on the NStar project is made.
 - a) If NStar proceeds, the funds can be redeposited into the CPA account.



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- b) If NStar does not proceed, the Town can design the trail in 2015, and request construction funds at the 2016 Annual Town Meeting. This schedule contemplates a fully constructed trail in the late fall of 2016, as opposed to the design/build schedule of June 2016.

4. In the meantime, we recommend working with Sudbury Greenways to clear the right of way so that residents can walk on the corridor and begin to enjoy its recreational and scenic benefits. This will require a license from DCR and approval from the Conservation Commission.

5. We will also continue working with DCR on the long term license and approvals needed to construct a rail trail, continue researching grant opportunities for construction funding, notify abutters of the project and begin working on any abutter issues identified.

We have attached a memo from Fay, Spofford & Thorndike dated December 5, 2014 outlining their suggested approach to the project, including the estimate for the first phase of the recommend two-phase approach to the project discussed above.

It is our desire to have the Selectmen discuss these issues and vote to either continue with the design/build approach and the CPC request for \$300,000, or change the vote to only request \$110,000 for design, permitting and preparation of bid documents. The planned Rail Trail Forum is scheduled for Jan. 22, and other issues or ideas may be presented. The CPC deadline to vote their projects is January 28. It is possible for the Board to delay a final vote on this project until the next BOS meeting on Jan. 27 in order to consider comments from the forum.

Attachments: FST Memo
The Basics of Design-Build (supplied by Selectwoman Brown)

cc: Andrew Sullivan, Sudbury Greenways
Bill Place, DPW Director
Conservation Commission