

# Town of Sudbury

---

## TOWN OF SUDBURY COMMUNITY PRESERVATION COMMITTEE

### PROJECT SUBMISSION FORM

Submitter: *Maureen Valente*

Submission Date: Oct. 14, 2009

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

Submitter's address and phone number:

Purpose (please select all that apply):

Town Manager  
278 Old Sudbury Rd.  
Sudbury, MA 01776  
978-639-3385

**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	\$700,000 max	\$275,000 max	\$25,000 Sudbury Water District \$400,000 CPA appropriated in 2008
2010			
2011			
2012			
2013			
Total		\$275,000	

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.*

*Public presentations were made to the Board of Selectmen and CPA Committee in fall of 2007. A detailed presentation was made to the Town Meeting at the 2008 ATM. Additional public hearings will be held in the fall of 2009 to update all Boards, Committees, and the public on current status of negotiations.*

**CPA Application**  
**CSXT Rail Corridor Acquisition**  
**PROJECT NARRATIVE**  
**Oct. 14, 2009**  
**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 – Dec. 2009 – negotiate with CSX on purchase price (NITU expires Nov. 11, 2009)
  - \_ submit funding request to Community Preservation Committee (CPC)
- Dec. 2009- – enter into Purchase & Sale
- Feb. 2010
  - \_ obtain MassDEP approval
  - \_ conduct Title Search
- April 2010
  - \_ CPC presents funding Warrant Article at Town Meeting (with Article 97 provisions as part of Warrant Article)
- June 30, 2010** – **purchase completed**

**ESTIMATED PROJECT COSTS**

**Town of Sudbury**

Conservation Commission

**Estimated Project Cost:**

- Acquisition price: \$700,000 max
- Appraisal (paid\*) completed in 2007 (with \$5,000 from CPA funds for the appraisal, \$1,500 from Water District). We may need to update the 2007 appraisal and will be requesting CPA Administration Funds for this purpose, if needed.
- Title Search completed with previously from CPA Administration funds