

Article 28: Authorization for Lease of Rail Corridor

The Board of Selectmen has voted to WITHDRAW Article 28 at this time. The Board, other Town agencies, and an incorporated local non-profit group, Bay Colony Rail Trail Association (BCRTA), are continuing work on this project. The Board's intent is to achieve further progress on identified issues, including the potential costs to the Town and the extent of the right-of-way that would be available to use for the actual trail and access to it, in advance of the Fall Special Town Meeting.

Article 28 would have authorized the Board of Selectmen to lease or otherwise acquire interests in unused portions of railroad rights of way (ROW) within Needham that are currently under the jurisdiction of the Massachusetts Bay Transportation Authority (MBTA). The focus of this initiative has been on the potential uses of the ROW for rail trails, which are multi-use paths for bicycling, pedestrians and other recreational uses.

As background, in July, 2012, the MBTA Board of Directors voted to authorize the MBTA's General Manager to lease the unused ROW to the Town. There are two unused ROW sections within Needham. One (Southern) section runs from Needham Junction to the Dover line, connecting from there to Medfield. The other (Northern) section runs from Needham Heights to the Newton Line, where it connects to an unused right of way in Newton.

Issues under consideration in this process are the delineation of areas to be included in the lease, potential connections to Dover and Newton, including use or replacement of existing bridges over Route 128 (I-95) and the Charles River, insurance regarding any environmental hazards in the ROW, concerns of abutting property owners, public safety concerns, and other specifics regarding design, funding, and utilization of the ROW.

The Town is working with BCRTA on the evaluation of the Southern section as a potential rail trail. A feasibility study is being completed by the engineering firm Fay, Spofford & Thorndike (FST), utilizing Community Preservation Act (CPA) funding approved by Town Meeting in 2012. Two public workshops have been held to solicit feedback on the project.

The Selectmen have deferred action on the Northern section (Needham Heights to Newton line), other than to consider lease of the ROW, pending further developments. These include several competing alternative use plans for the route, both in Needham and Newton, and the anticipated removal of the ROW's current rail bridge over Route 128 by the Massachusetts Department of Transportation (MassDOT) as part of the highway add-a-lane project. MassDOT has advised that its design will allow for construction of a new bridge across the highway at a later time, but a bridge is not part of the current MassDOT design.

Similar discussions and planning are in progress in Newton and Dover. The Town of Needham and the City of Newton received a grant to evaluate the use of the Northern rail corridor for rapid transit alone or in conjunction with bicycle and pedestrian access. The communities are in the

process of reviewing a draft report and are in conversation about the report with representatives of the Metropolitan Area Planning Committee (MAPC), which oversaw the study. The Selectmen's understanding is that Newton is planning for a lease and development of part of its ROW as a rail trail, but not connecting to the Needham ROW. The Selectmen are informed that Dover's current lease plan does not include the rail bridge connection to Needham. Thus, at this point, the Needham ROWs should be considered as stand-alone opportunities, although they may involve connections to other communities in the future.

Issues involved with delineation of the lease area include a section between High Rock and Chestnut Street, which would be very helpful for rail trail access in the Needham Junction area, but which the MBTA may wish to retain.

The condition of the Dover rail bridge is such that it is expected to need to be removed. If the rail trail eventually connects to Dover, a replacement bicycle/pedestrian bridge would be necessary. That would be expected to be primarily paid for by private funding, at a total cost in today's dollars of approximately \$1 million.

Because the ROWs were in active railway use for many years, there is a concern about possible environmental liabilities. The insurance under consideration would have a one-time cost of approximately \$42,000, with the possibility of having half that amount reimbursed by the State.

The final feasibility study for a rail trail using the Southern section is expected to be completed in the coming weeks, and conceptual plans have been developed. Even in its most limited form, a rail trail would be a valuable amenity connecting the public parklands of the Town Forest and Red Wing Bay in Needham. Under the MBTA's current authority, the cost of the lease itself would be nominal. The BCRTA has committed to raising funds to support the construction of the Southern trail.

The Selectmen believe that substantial progress has been made and have authorized the Town Manager to begin discussions with the MBTA on the terms of a lease of the ROW. Going forward, the Selectmen will continue to seek public comment and input in this process, and will report back at the fall 2013 Special Town Meeting.