



Town of Topfield

TOPSFIELD, MASSACHUSETTS

Rail Trail Committee

Minutes of Committee Meeting June 12, 2008 8:00 PM

Members Present: Joe Geller, Dave Read, Kathie Trembley, Gregg Demers

Guests: Bob Morgan, Roy Baessler, Mike DeAmario, Sue, DeAmario, Katherine Carlson, Edith Pepper-Goltra

Old Business

Minutes from previous meeting on May 19th, 2008: No quorum was present but a motion to accept the unofficial minutes was approved.

New Business

1. *Review of June 9th trail mowing activity and discuss adopt a trail:*
 - On Sunday June 9th eight people came out to help mow the portion of the Topsfield Linear Common under Town ownership. After 4 to 5 hours we completed cutting the trail to just before Ralph Stump's house. We will continue cutting to the Wenham line soon. Keeping the grass on the trail short helps minimize the number of deer ticks on the trail and makes the trail safer.
 - Roy and Dave agreed to coordinate the group of volunteers (Adopt a Trail) who have offered to mow the trail on a regular basis. They will organize a trail mowing program to include locations and a schedule to keep the trail usable going forward. Mowing will take place on "as needed" basis.
2. *Committee members for the coming year and signing of appropriate Town forms:*
 - All current members of the committee agreed to serve another year (Geller, Demers, Trembley and Read) and all signed the necessary paperwork for the town. Kathie discussed the selectman's desire to have her represent the equestrian contingency in town and the recent inquiry to the state Ethics Commission about any conflict of interest she may have as a 'horse person' and potential trail user and being on the board of ECHO. In the end the Ethics Commission agreed there is no conflict of interest and that it was an unfortunate misunderstanding based on how the information was conveyed to them. Kathie incurred personal legal expenses to straighten this out.
3. *Committee member candidates:*
 - Roy Baessler and Katherine Carlson read letters written to the Rail Trail Committee on behalf of their candidacy to become official members of the

committee. The committee voted unanimously in favor of recommending their names to the selectmen as all committee members serve at the pleasure of the selectman.

4. *Election of officers for upcoming year:*
 - Joe was unanimously voted to continue on as chairman and Dave was unanimously voted as secretary.
5. *Meeting with Richard Villiotte and Jim Mahan:*
 - Joe detailed his on location discussions with Mr. Villiotte and Mahan, both of Summer St., about the trail and their concerns about sections of the trail where people could get hurt. The committee agreed to do something about those sections of rails in these areas. The conversations were very cordial and both individuals now know more about the rail trail and the process to get it built.
6. *Minuteman Bikeway visit with Brian Woodland on June 17th:*
 - Joe and Brian will be visiting the Minuteman Bikeway on Tuesday to look at the section of train where the old Lexington train station cantilevers over the trail and the terminus in Bedford which has installed an old train car for historical and esthetic value.
7. *Review of site plan bids for Phase IA & vote to recommend to Selectmen:*
 - Joe reviewed the three proposals he has received for site plan: Morin-Neve, Beals Associates, and Hancock. Morin-Neve does not have the liability insurance required by the town and the Hancock submitted the highest bid so both of those companies were ruled out. It was decided to go with Beals Associates as they have done the permitting and site work for several developments in town as well as some international work. The committee voted unanimously to recommend to the Selectmen that Beal Associates conduct the survey.
8. *Review of land survey proposal & vote to recommend to Selectmen:*
 - Donahoe and Parkhurst was only company to submit a bid to survey the initial portion of the trail from Washington St. to the end of the parking lots near the tennis courts. The price was \$2900 with an additional \$900 for a topographical survey. There was some discussion if we should try to solicit another bid and compare prices but most committee members felt this was reasonable amount to pay for the necessary work and did not want to delay the process any longer. The committee voted 3 to 1 to advise the selectman to accept this proposal.
9. *Border to Boston Trail (B2B) 25% design:*
 - Joe and Dave were recently invited to attend a meeting at Mass Highway of all the towns participating in the development of the Border to Boston Trail where it was conveyed that the 25% design of the trail does not include performing wetlands survey as part of the usual full environmental analysis as required on other projects during the 25% design phase. Bill Steelman of the Essex National Heritage Commission (ENHC) is trying to get further clarification on this issue and will share the information with representatives from the towns as soon as he knows more.

10. *Border to Boston Trail Design Firm (to be chosen) will eventually send letters in the fall to land owners and abutters for 25% design access – MGL Ch. 81 Section 7F (Mass Highway has statutory access – see specific statute below).*

Section 7F. Whenever the department deems it necessary to make surveys, soundings, drillings or examinations to obtain information for or to expedite the construction of state highways or other projects under its jurisdiction, the department, its authorized agents or employees may, **after due notice by registered or certified mail**, enter upon any lands, waters and premises, not including buildings, in the commonwealth for the purpose of making surveys, soundings, drillings and examinations as they may deem necessary or convenient for the purposes of this act, and such entry shall not be deemed a trespass nor shall an entry for such purposes be deemed an entry under any condemnation proceedings which may be then pending.

- Mass Highway will first determine alignment of the B2B trail and then perform the survey (resurveying in the case of the Topsfield portion per above). Topsfield has three land owners of their portion of the trail: the town for the MBTA section via a 99year lease and National Grid. A letter will be sent to owners and abutters about the need to access the trail to drive survey stakes, etc. and it may require the survey to briefly put foot on the abutters land. The above state statute allows for these situations and exempts them from any trespassing laws.

11. *Earmark request to U.S. Rep. John Tierney for B2B final design funds:*

- Annie Harris, Executive Director of the ENHC, has sent Congressman Tierney a request to include an earmark for \$1.94M for complete design of the Border to Boston Trail in an upcoming appropriations bill.

12. *Surplus bicycle racks for Topsfield Station:*

- Since the Topsfield elementary schools just received some new bike racks (thanks to the Rail Trail Committee successfully applying for a grant for them) there may be surplus bike racks from the schools can be placed at Topsfield station. Joe has sent a letter to the chairman of the school committee to get approval if the extra racks can be donated. It was also noted that Brian will be allowing trail users to use the toilets at Topsfield Station.

13. *Selectmen approval for removal of invasive species on the trail:*

- In non-wetlands areas the selectmen are allowing the Rail Trail Committee to try to eradicate the invasive species for one year. In areas where there are wetlands this requires approval from the Conservation Commission.

14. *Mr. Fontaine's septic system:*

- It was recently learned that his septic system appears to be located on the easement. The committee agreed that the best course of action for now is to do nothing until more information from the site plan that Beals Associates is working on is available.

15. *Guy wires on poles on Woodland property:* It may require that that Verizon and National Grid rearrange guy wires on two poles to accommodate the trail. We will have to wait to see Beals site plan to confirm.

16. *Removal of curved rail and ground metal by Summer St. and Maple Lane:*
 - After a discussion about the danger these curved rails, which are part of a switch, can cause when sticking out of the ground as they are, the Committee voted unanimously to ask the selectman if we can explore removal of the rails in this area so no one will get hurt there. Options include cutting the trails up with a torch or cut off. It was felt that physical removal of the metal using large equipment would be too disruptive.
17. *Identification and invasive species along the Topsfield Linear Common for the TRTC website – partnering with the Conservation Commission. RDA required. Discussion at Cons Com June 25th meeting. Deadline June 25th for the July 9th meeting.*
 - The committee discussed if the Conservation Commission might be willing to work proactively with us to prepare the Request for Determination of Applicability (RDA) or if we should attempt to prepare it ourselves and submit by June 25th meeting.
 - The committee also plans to develop a portion of the Topsfield Linear Common website to informational and identification of invasive species along the trail.
18. *Topsfield Strawberry Festival preparations:*
 - The group discussed setting up an informational table for the Topsfield Linear Common with the theme of thanking the residents for their support at town meeting and on the ballot question. There is a \$40 fee if anything is sold and that can be paid from previous donations to Friends of the Topsfield Trails as there is demand for our t-shirts. Joe will make up a “thank you“ banner to display at our table.
19. *Piles of Dirt and Debris on Trail at Fairgrounds:*
 - Kathie has discussed with the Topsfield Fair people to eventual need to move the piles of dirt and stone located on the abandoned trail at the Fairgrounds. They acknowledged this and said to just let them know when these piles need to be moved and they will do so. Kathie will broach this again with them before we get close to construction.
20. *Public comment portion of the meeting:*
 - Bob Morgan reiterated that the committee should review the guidelines published by the Rails to Trails Conservancy on how to deal with abutters. It was agreed that these items could be taken up at a future meeting.

The meeting adjourned at 10:05 PM

Respectfully Submitted: David Read