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Topsfield rail trail design clears 2 major hurdles

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TOPSFIELD — The effort to build a Topsfield rail trail got two significant boosts last week.

A forum Monday on the design of the first part of the trail concluded with few worries about the design itself, while selectmen separately approved a design study for a later part of the trail.

Most residents' questions revolved around liability and maintenance concerns. Some neighbors got worried when they heard landowner MBTA demanded several hundred dollars' worth of additional insurance to cover liability.

"If MBTA is that concerned, abutters should be concerned," said Jim Callahan, a Parsonage Lane resident. Callahan said Topsfield should have the "decency" to make its lawyer available to abutters to discuss liability concerns, such as through a public meeting.

Rail Trail Committee Chairman Joe Geller said he's been working on the rail trail plans for 17 years and said only in 2005 did the laws change enough to erase his liability concerns. Geller said neighboring property owners aren't liable for injuries if people wander onto their property, and they're not even liable for falling tree limbs unless they knew a tree was diseased.

Geller also said the Fire and Police departments expect no additional service costs to cover the trail, which, despite its rough condition, is already used by some. Geller has publicly vowed that no town money will go to build or maintain the trail, which so far has attracted about \$92,000 in grants.

The first stretch of the trail, from Washington Street to Main Street, would generally follow an old rail bed except for the swing around the Proctor School playgrounds. The trail will be 8 feet wide and mostly topped with stone dust. Around the new Topsfield Station building, the trail surface will change to asphalt to limit dust carried into the building.

Neighbors also worried about how much their properties would be screened from walkers, joggers, bicyclists and horse riders. Geller said only selectmen will be able to decide privacy concerns and funding for fencing or privacy screens made from bushes and other plants.

The Topsfield Rail Trail Committee hopes to release construction bids this month. In late January, selectmen are expected to review the bids, as well as abutters' requests and cost estimates for privacy materials. Construction could begin in April.