

# Letter: Rail Trail a luxury not a necessity

TOPSFIELD - To the editor:

One of the misconceptions about the proposed rail trail conversion is that the trail will be a local trail called the TLC (Topsfield Linear Common). In fact, the trail will be part of larger trail system called the Border to Boston Trail system which when completed will link communities from Boston to the New Hampshire border.

Our Selectmen have signed, with seven other North Shore towns, the *Border to Boston Trail/North Rail Trail Joint Planning Resolution* "To request technical assistance . . . as support for the development of a comprehensive strategy and plan for the management, use and development of the trail corridor." When completed, Topsfield will be the midpoint of the trail system. At the informational forum held last month the TRTC stated that parking could be accommodated at the fair grounds and estimated that 200 people per day would use this trail based on statistics used in the planning of the TLC. Does any one think that only two hundred people per day will use the trail on a beautiful spring, summer, or autumn day? How many horse trailers can park at the fair grounds? This will be a multi-use trail so there will be horses and children on bikes. There is an obvious safety issue here.

Again, please remember that there are two types of trails being planned. The first is the TLC, which at the present time is being planned to be a stone dust 8-foot trail with 2-foot shoulders. At a future time, the Boston to Border trail specifications could change to a 10-foot black top trail with 2-foot borders. Also, keep in mind that this will be state and federal funding so Topsfield will have to comply with state and federal guidelines. Do people who live in Topsfield really want the federal and state government to dictate what will be done in our town? If you want the rail trail, will you join the abutters in demanding that this trail be done correctly the first time? This can only be accomplished by a comprehensive plan to be developed before the trail is built that addresses all the issues and is in compliance with state and federal guidelines. The abutters of the trail should not be asked to go through this process twice. No one is asking that the money received in grants by the TRTC be wasted. We believe that the \$42,000 that the TRTC has in grants would go a long way in developing a plan that is acceptable by all in town.

The TRTC has used the Marblehead trail as an example of a stone dust trail that they are proposing for Topsfield. One portion starts at a parking lot and travels along the left hand fork of the trail where it passes through a neighborhood that is comparable to Route 1 through Parsonage Lane. A member of the TRTC walked the trail and reported the trail was clean and beautiful. We walked the trail at about the same time with our eyes open and found broken and torn down fences, 'No Trespassing' signs posted on fences, graffiti on trees, fences, buildings, and telephone poles. In addition, there were cases of empty beer cans and bottles scattered along the trail in the neighborhood areas. We guess beauty is in the eye of the beholder. As evidence to this fact a letter was written to our selectmen expressing our concerns along with pictures taken on the walk. During a recent

selectmen's meeting, parts of the letter were discussed, but there were no comments about concerns of the condition of the Marblehead Trail. The only fair way to find out who is reporting the condition of this area of the trail accurately is for you, the residents of Topsfield, particularly the abutters, to walk the trail and make your own decision. A question for the rail trail, is this an example of a trail that is self-policing?

In one grant application that the TRTC submitted and our selectmen voted to approve, the TRTC stated that no wetlands were involved in the TLC area. When the TRTC was questioned on this, they stated they were unaware that there were wetlands involved until it was brought to their attention. Then the application was corrected. This is coming from a Committee that is touted in the Boston to Borders implementation plan as having a lot of talent that includes a licensed site professional, a surveyor, a licensed wetland specialist, marketing expertise, webmaster knowledge and other enthusiastic people. Why didn't the wetlands specialist recognize wetlands? The Conservation Commission holds the residents to a high standard when it comes to working around wetland areas. Thousands of dollars have been spent by residents in the Phase 1 area to comply with wetland laws and to give back to the wetland areas for the privilege of improving their homes. If several abutters and other concerned residents hadn't gone to the meeting of the Conservation Commission, the TRTC wouldn't have had to comply with the same stringencies.

Joe Geller in the TRTC minutes of May 29, 2007 states that the Conservation Commission most likely prefers asphalt surfaces. The Environmental Assessment Study commissioned by the town of Sudbury for their proposed rail trail concurs that asphalt is the preferred surface in wetlands to prevent the seepage of stone dust into the wetlands which is harmful. However, asphalt costs more money so a stone dust trail is proposed by the TRTC. This means the residents would have to put up with a trail that is substandard. Then, at a later time, it would have to be graded and covered with asphalt to be in compliance with federal and state mandates. This would be done at the inconvenience of the rail neighbors. The Sudbury environmental assessment document is a 134-page document that cost over \$24,000 dollars to produce for their proposed rail. Waltham is asking \$150,000 for an environmental assessment for Waltham's portion of the Wayside Rail Trail which is only 3 miles compared to Topsfield 4.5 mile trail.

In a past letter to the editor, the TRTC believes soil testing is not necessary. We have to disagree. The lease signed by the Selectmen with the MBTA releases the MBTA from any cost of environmental cleanup that may occur during the construction of the trail. The lease also prevented the town from conducting any soil samples before signing the lease. The Selectmen can either apply for grants to clean up the contamination or apply for an insurance policy to protect the town and its abutters. The cost of this policy is estimated at \$50,000 with the state paying half. If the Selectmen do not plan on purchasing this policy as the town of Acton has, will the Selectmen go on record saying they are confident that no contamination will be found and the insurance policy is not needed? To date I have not heard these concerns addressed by the Selectmen. I would hope that the Selectmen would require that this policy be purchased for all property that is covered in the lease signed with the MBTA so the abutters and the town will be

protected in case contamination is found. This information was obtained through other rail trail committee minutes and web sites such as Wakefield Rail Trail, Sqannacook River Trail and the Resor Amendment to chapter 21E of the Massachusetts General Laws.

Towns such as Sudbury and Townsend have held town meetings on this issue and have made their public officials such as police and fire chiefs, park and recreation officials and Selectmen available to be questioned. Contrary to what the TRTC has said about Topsfield not being held liable, if an accident occurs because of neglect by the town or its employee the town will be held liable. The highway department is charged with the responsibility to maintain and monitor bike paths according to the town government web site. Logic tells us this is a recipe for a lawsuit.

Kevin J. Krizek, Ph.D. (Associate Professor of Planning Design and Civil Engineering, Director of the Ph.D. Program in Design and Planning, University of Colorado), using home sales data to learn the effect of bicycle trail proximity on home values, determined that “. . . proximity to bicycle facilities . . . actually significantly reduced home values in suburban locations.” Two Approaches to Valuing Some of Bicycle Facilities’ Presumed Benefits, Journal of the American Planning Association, Vol. 72, Property values where trails exist such as Marblehead, Newburyport, Salisbury, and Amesbury need to be studied so residents will have a better understanding how their properties will be affected.

The TRTC is concerned about losing the \$42,000 in grant money. We have addressed several areas where this money could be put to good use. I would urge all residents that are in favor of the trail to put yourself in the shoes of your fellow residents that will have to live next to the trail. We are not saying don’t build the trail, we are saying do it right the first time. Please ask yourself if you would trust the security, privacy, and value of your home and property to a committee of five rail trail enthusiasts. Since last July we have been asking the selectmen to hear our concerns and their most recent response has been to table an application by Robert Morgan to be seated on this committee. Mr. Morgan by law has a right to be seated on this committee but will not be seated because he is an abutter who has concerns. We would ask you for your support on article 16 to hold the selectmen and the TRTC to the highest standard possible. If the \$42,000 is forfeited, it will be because the TRTC and the Selectmen refused to work with the residents who will be impacted the most. The residents on Valley Road through Parsonage Lane should be able to enjoy the peace, serenity, privacy, and security of their backyards, as do the residents of Washington Street, High Street, Perkins Row or Prospect Street. This trail is not a necessity is a luxury.

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Topsfield