

Minuteman Bikeway Extension Project

Town of Bedford

Frequently Asked Questions

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Introduction: The Minuteman Bikeway, a popular rail trail for regional commuters and recreational users, currently ends at Depot Park near the intersection of South Road and Loomis Street. This proposed Project would extend the Minuteman Bikeway to just west of Route 62 via improvements made to Railroad Ave, and a paved 12-foot-wide shared use path along the Reformatory Branch Trail (the “Project”).

First studied in 2005, this Project has a long history of support from Town Boards and Committees, prior Town Meetings, and state and federal partners. This document, along with a new Project [website](#) and planned community forums, is intended to share information with the public in advance of the November 14, 2022 Special Town Meeting.

PROJECT STATUS

1. What is the current status of this Project?

The March 28, 2022 Annual Town Meeting (ATM) votes have left the status of this Project unresolved. Article 6, which allocated funding from the Community Preservation Budget to purchase the land rights needed to complete this Project, was approved by a simple majority vote. However, Article 11, which would authorize the Town to purchase necessary land rights through an eminent domain process, obtained 61% of the votes required, whereas a 2/3rds (67%) supermajority vote was needed.

Subsequently, the Select Board voted at their May 9, 2022 meeting to bring this article back to Town Meeting at the 2022 Special Town Meeting in November. The Select Board took this step recognizing the general community support, long-standing work of involved boards and committees and staff, and the 15-year track record of successful Town Meeting votes to advance this Project. It is not uncommon in Bedford to bring projects back to Town Meeting after they do not pass initially—one example is the Sabourin Field turf.

Bringing this up at a later Special Town Meeting also allows more time for engagement with abutters and the community at-large, and for residents to ask questions and share comments in a forum that is more conducive to shared dialogue than Town Meeting.

Another consideration is the significant amount of state and federal money—\$11 million—that is at stake. After 15 years of planning, the Project is ready for construction, but the missing piece is one final Town Meeting vote that requires a two-thirds majority.

Acknowledging that this is a complicated Project, with varying community perspectives, the Select Board hopes that the months leading up to Special Town Meeting include productive and respectful dialogue. In advance of Special Town Meeting, the Town will:

- **Hold property owner meetings** – this will provide an opportunity for direct abutters to share feedback, ask questions, and hear more about the process from Town staff and Town Counsel;
- **Hold community forums** – providing a chance for the general public to share feedback, hear more about the Project, and ask questions in advance of Special Town Meeting;
- **Update the Project [website](#)** to include additional information; and
- **Work with various stakeholders** to address their concerns about the Project.

2. Which Bedford boards and committees have reviewed and/or support this Project as designed?

Board/ Committee	Action
Select Board	Supports the Project
Transportation Advisory Committee	Supports the Project
Bicycle Advisory Committee	Supports the Project
Trails Committee	Supports the Project
Community Preservation Committee	Recommended approval of funding of purchases
Capital Expenditure Committee	Recommended approval of construction services
Finance Committee	Recommended approval of purchases/funding of purchases
Conservation Committee	Approved Project
Arbor Resources Committee	Acknowledged Project met Town Tree Policy
Energy and Sustainability Committee	Recommended approval of purchases
Planning Board	Recommended approval of purchases

PROJECT DESIGN

3. What are the design features of this Project?

- Establishment of a safe and accessible shared use path for users of all abilities and additional travel modes. In addition, the path would allow use during more months of the year as muddy conditions would be minimized.
- Improved bike and pedestrian safety along Railroad Avenue (a key connecting corridor for access to schools, Town campus, and commercial and recreational areas). Currently, there

are no existing bicycle or pedestrian accommodations. A new sidewalk will also be added on the north side, and a shared use path on the south side.

- Improved pedestrian crossings at Railroad Avenue and Hartwell Road.
- Improved safety at the Concord Road crossing with the construction of an underpass.
- Three parking areas with porous pavement, benches, bicycle parking, water fountains, landscaping, and picnic tables.
- Improved access to adjacent conservation land.
- Unpaved stone dust shoulders along 75% of the trail.
- Utility upgrades including drainage improvements along Railroad Ave and Commercial Ave, which currently experience frequent flooding.

4. What are the benefits of a shared use path?

MassTrails commissioned a [study](#) in 2021 to examine the economic, health, transportation, environmental, safety, and accessibility impacts of four, paved shared use paths in Massachusetts, including the existing Minuteman Bikeway that runs from Cambridge to Bedford. This study found that shared use paths are associated with:

- A safe, accessible and protected facility for traveling to and from destinations, and a contribution to a reduction in single occupancy vehicle trips and reduced single occupancy vehicle miles traveled;
- A reduction in commuter-based greenhouse gas emissions and air pollution;
- Increased levels of physical activity, which provides physical health benefits, mental health and wellbeing benefits, in addition to reducing healthcare costs;
- Enabling a larger proportion of the community to be able to access and enjoy nature; and
- Increased property values and spending in the community, which generates jobs and tax revenue.

5. What parking is currently/will be available for path users?

Three ADA accessible, permeable pavement lots are proposed at Railroad Ave, Lavender Lane, and Route 62. The landscape plans with detailed plant schedules and locations of benches, picnic tables, and water stations can be found [here](#) on sheets 75 - 79. The number of available spots will be as follows:

- Railroad Ave: Existing: ~15 parking spaces; Proposed: 11 parking spaces;
- Lavender Lane: Existing: ~3; Proposed: 15 (reduced from 25, as presented in March 2022, to preserve additional trees); and
- Concord Rd: Existing: ~8; Proposed: 15.

6. Can we just construct the Railroad Ave improvements or the Route 62 underpass?

Not with federal Transportation Improvement Program (TIP) funding. These project components represent a major value to the Town that is part of the package deal that includes the shared use path extension. If the Town of Bedford constructed these two components without TIP funding, it would cost Bedford taxpayers \$5.2 M.

7. Can the Town move forward with a stone-dust path and still be funded through the TIP program?

No. Massachusetts Department of Transportation (MassDOT) staff have repeatedly confirmed that TIP funding will only pay for a project with an asphalt design, as that is more accessible than other surfaces and does not require continual maintenance. However, stone-dust shoulders are featured in the current design along the 75% of the off-road path where topography and wetlands allow. Additionally, this is consistent with past mandates from Bedford residents. When given the option to leave the path "natural," use stone dust, or pave with asphalt, 2010 Annual Town Meeting voted for the paved option.

8. Can we reduce the planned width of the paved portion of the path?

No. MassDOT has certain minimum design standards that the Project must meet. The Project has made its way to the 100% design phase over the course of a long, iterative process, with public input encouraged and respected at each stage. While there may be room for some minor changes, the basic design cannot be modified at this point.

9. What will the cross-country teams do?

As the Reformatory Branch Trail is currently used as part of the Bedford schools cross-country route, DPW staff have been working with the Athletic Director and cross-country coaches to develop alternative courses. The Project has given them a new opportunity to collaborate with the DPW, Trails Committee, and Conservation Commission to develop a course in the Elm Brook Conservation Area, which is an improvement over the current route as it is entirely off-road. Without entering or crossing roadways, the course should be safer for those using it. The coaches hope this will be the new permanent course starting this fall (subject to Conservation Commission approval). A map of the new route will be posted to the Project website once it is available.

10. Will the Minuteman Extension be plowed?

This will be determined at a later date, taking public feedback into consideration. There may be an option to leave half of the width unplowed by using a narrow sidewalk plow.

11. How will the new trail be maintained?

Off-road asphalt has a much longer lifespan than our streets and highways. Smaller repairs will be handled through the annual DPW budget as they are now for the Minuteman Bikeway and Narrow-

Gauge Rail Trail. To provide a sense of the longevity, the Minuteman, built in 1992 - 1993, was repaved once in 2014 with a "mill and overlay" preservation treatment.

12. Will extending the Minuteman to the Reformatory Branch make it less safe for users?

While many components of this project should enhance safety and accessibility for users, not all users will abide by safety regulations, as is the case with any recreational or transportation asset. If the Minuteman Bikeway is extended, Town officials will enhance safety measures on that portion of the shared use path, including signage, education, and enforcement of rules and regulations. Residents who have suggestions are encouraged to share them.

13. How does this Project relate to Concord's portion of the Reformatory Branch Trail?

Concord's plans for their portion of the Reformatory Branch Trail do not affect this Project, since the shared use path portion will now end at Route 62 and not the Concord Town Line. After the 25% design hearing in 2020, the Town received notice from MassDOT that the Project's terminus at the Concord Town Line did not meet Federal Highway rules regarding a "logical" end point for the Project, since the shared use path would end at Concord's unimproved trail that is not accessible to people with disabilities. At the 75%, design submission, the Project end point was shortened back to the Route 62 underpass, a ramp was added on the west side of Route 62 to provide a turn-around up to Concord Road, and a sidewalk was added to Bonnievale Drive.

14. How long will construction take?

If the Project is fully approved, it will take approximately two construction seasons. The Town is committed to working with residential and commercial abutters to minimize construction impacts. The particular order and timing of events, and any closures would be determined by the contractor, but the Town can work with MassDOT to make certain requirements part of the bid. For example, requiring certain work hours/days to avoid impacting abutting homes and businesses.

ENVIRONMENT

15. What are the traffic impacts of this new shared use path?

The Project should improve vehicular traffic in Bedford. Shared use paths encourage non-auto transportation commuting by providing a protected route. The MassTrails [study](#) found that path users on the existing Minuteman Bikeway substituted 50,291 one-way motor vehicle commuter trips with active transportation trips from July - October 2019, which equated to 74,834 fewer vehicle miles traveled over this four month period. This study also showed that the vast majority of these users (~90%) walked or biked to access the trail.

16. How many trees are being removed for this Project?

Twenty public street trees would be removed along the Railroad Avenue component of the Project, but 68 trees will be planted by the Town as replacements. The Project [Landscape Plans](#) describe the locations of new trees and landscaping. The Project fully meets the [Town Tree Policy](#).

Approximately 4.34 acres of vegetation would be cleared along the existing Reformatory Branch Trail, and per the Town Tree Policy, \$21,700 will be contributed to the Tree Removal Mitigation Revolving Fund. While the total number of acres sounds extensive, the Project is primarily pushing back the forest/brush along the approximately 1.7 miles of former rail corridor in order to access and widen where necessary to accommodate the [new paved trail](#). The acres were calculated by obtaining the area between the original and proposed vegetation line, which includes all variety of vegetation including brush, ground cover, and trees. To better understand the visual impact, DPW staff tagged trees near the Hartwell Road trail crossing to demonstrate the extent of the tree removal within that particular area. Please see photos on the Project [website](#).

17. How will trees be protected during construction?

When construction begins, the contractor will work from detailed construction plan sets that are drawn to scale. The trees outside the clearing zone will be protected by fencing to ensure their survival throughout the duration of the construction Project. The trees within the clearing zone will be tagged, inspected to ensure conformance with the plans, and cut down to the stump. All work will be performed under the supervision of MassDOT, the Town's engineering consultant hired to be on site, and Bedford Public Works and Conservation staff.

18. What are the Project's other environmental impacts?

The Project has received all relevant local, state, and federal environmental permits. This approval included review of the most recent regulatory mapping of wetlands, wildlife, endangered and rare species, and habitat of species such as the Blanding's Turtle. No impacts were proposed based on these lengthy reviews and further detail on these findings can be found on the Project website. There are some areas where permanent wetland impacts cannot be avoided and as a mitigation measure, new wetland areas have been proposed near the Railroad Ave parking lot. These can be viewed on the 100% design plans sheet 80. The Bedford Conservation Commission has mandated, through an Order of Conditions, the hiring of an independent Environmental Site Supervisor to monitor the Project on a weekly basis, ensure protection of the resource areas, and submit monthly progress reports to the Commission.

PROJECT FUNDING

19. What is the status of the Project's funding? Did we lose state/federal funding?

Yes, the Project lost out on specific governmental funding when it did not receive a supermajority vote to proceed at the 2022 Annual Town Meeting. At that time, it was removed by the Boston Region Metropolitan Planning Organization (MPO) from the TIP (Transportation Improvement Program, a five-year capital plan for federal transportation funding in the Greater Boston region)

because it did not meet the planned advertisement date deadline. The \$11 million in TIP funding was reallocated to three other projects.

Prior to March 2022, based upon discussions with state officials, the Town understood that if the Project failed to get the necessary votes at Town Meeting, it would lose any chance at TIP funding for the Project and also jeopardize future funding opportunities. However, because the state and the members of the MPO believe strongly in this Project, and an influx of federal infrastructure funding, Bedford was given another opportunity to try and gain the necessary Town Meeting votes.

20. How will Bedford pay for the Project now?

MassDOT and the MPO are very supportive of this Project – and the over 15 years of work put in by the Town. In fact, the members of the MPO voted unanimously on July 21, 2022 to continue to support this Project, pending Town Meeting approval. As such, MassDOT and the Town are anticipating securing new TIP funding for construction in 2024, pending approval at Special Town Meeting.

21. How would the \$11M in state and federal TIP funding be spent?

Location based breakdown (these three categories account for the entire \$11M):

- Railroad Ave construction cost = \$3.2M (includes \$2.2M for utility upgrades)
- Off-road path construction cost = \$6.6M (includes \$2M for Route 62 underpass)
- MassDOT construction oversight & Utility Force Accounts = \$1.2M

22. How much has the Town spent on the Project to date?

The Town received approval from MassDOT and the Boston Region MPO in 2014 to use state and federal funding for construction through the TIP. As part of that funding agreement, the Town is responsible for design costs, right-of-way acquisitions, and non-participating construction costs unrelated to the shared use path itself such as fiber optic upgrades. To date, the Town has spent approximately \$900,000 on studies, engineering designs, appraisal services, and legal fees.

RIGHT OF WAY ACQUISITIONS

23. How are parts of the Reformatory Branch Trail privately owned?

Since the Boston & Maine Railroad ceased operations in 1962, the Reformatory Branch has been used as an unimproved, public trail. Because this Project would be federally funded, the Town is required to show clear rights to all land within the Project area. During the title review process, the Town discovered that it did not own a fee interest (i.e. ownership) of the entire Reformatory Branch. No one affiliated with the Town, nor abutting owners were aware of this history until recently.

24. What does the typical property acquisition look like for this Project?

For this Project, there are two types of acquisitions being proposed: purchase of actual land and easements. Legally acquiring the corridor of this land (12 feet of which would be paved) is critical to ensuring continued public access and maintenance of existing infrastructure.

In addition to the acquisitions of the trail itself, owners of 18 properties located on Railroad Ave, Commercial Ave, and Concord Ave would be compensated for temporary and permanent easements taken for construction access, sloping and grading, utilities, drainage improvements, and the shared use path. A simple [right of way map](#) overlaid on 2019 aerial photography can give residents a better idea of where these parcels are located. A full breakdown of the property rights needed by address can be found on sheets 37-41 of the [75% ROW Plan Set](#) on the Project website.

25. Why does the Town need to use eminent domain?

The eminent domain process is designed to protect individual property owners. Each owner will receive written notification describing the land/easements the Town is considering purchasing prior to any taking. The Town must offer the owner the *highest* market value price for their property as determined by an independent appraiser. If the Town is authorized by Town Meeting to proceed with the acquisition, the process quickly concludes with payment. In all cases, the Town first strives to achieve a “friendly taking” by working with each property owner to meet their needs.

26. Why does this Project’s right of way acquisitions cost so much?

Federal law requires that the Town compensate all 45 properties providing easements or land for this Project at the *highest* market value price. As of an appraisal done prior to March, 2022, the compensation packages ranged per property from \$300 - \$127,600, with a median value of \$27,100. Voters at 2022 Annual Town Meeting authorized \$1.5 million for the purchase of these easements through the Community Preservation Fund.

27. Why did the abutters receive their written offer packages right before Annual Town Meeting?

They were notified as soon as legally possible. Because this is a federally funded Project, the Town is required to follow a specific process to acquire the necessary land for the Project. Abutters were officially notified of this Project in the spring of 2020, the summer of 2021, and in the weeks leading up to Annual Town Meeting in March 2022. The Town was only able to send out the official written offer packages, with compensation amounts, on March 22, 2022, when MassDOT provided the Town’s approved National Environmental Policy Act (NEPA) Categorical Exclusion letter from the Federal Highway Administration for this Project.

Town staff will be using the months prior to the November 2022 Special Town Meeting to work with each property owner regarding their particular set of circumstances in the hopes of conducting a “friendly taking.”

28. What does this ownership issue mean for access to the Reformatory Trail now?

There are currently sections of the trail for which the Town does not have any record property interests. As such, the public's use could be challenged by the record owners of those parcels (despite not being taxed on such parcels). Although the Town believes that the public use could be defended in a court challenge, the Town has made it a priority to have clear ownership of the Reformatory Branch Trail. Doing so would ensure the necessary land rights to keep the trail open, access and maintain existing utilities, and construct this federally-funded improvement Project.

29. Do the abutters/owners currently have legal liability to those using the path across their property?

No. Massachusetts has legislation called the Recreational Use Statute. (G.L. c. 21, § 17C). This statute immunizes from legal liability all landowners who allow the public to use their property free of charge for recreational purposes.

30. Why are the temporary easements four years long when the Project will only take approximately two years to complete?

It is standard practice to add a time buffer to temporary easements for project contingency.