



# TOWN OF CONCORD

Department of Planning & Land Management  
141 Keyes Road ~ Concord MA ~ 01742

June 6, 2022

To: Bruce Freeman Rail Trail Advisory Committee  
From: Marcia Rasmussen, Director of Planning & Land Management  
Re: **Junction Park and the Bruce Freeman Rail Trail (BFRT) – additional information**

I continue to attend meetings where some Concord residents call into question the design intentions for the BFRT and Junction Park. There are some residents who have expressed the opinion that the Junction Park design was not intended to accommodate or include the BFRT; that the former railroad right-of-way cannot (or should not) be shared. I provided a memo in October 2021 along with the various documents referenced that provided a timeline of events (available on the BFRTAC web page, under the “Junction Park Information” tab), yet some residents continue to raise these questions rather than focus on now addressing perceived safety issues that were not addressed in the initial redesign of Junction Park in 2011.

- In 1982, the Commonwealth recorded a deed taking all or any portion of the land, premises, easements rights-of-way and other rights in Concord comprising the former Lowell Secondary Track. In 1987, a feasibility study of the Sudbury to Lowell portion of the Lowell Secondary Track is prepared by the MPO’s Central Transportation Planning Staff (CTPS) to consider converting the former railroad right-of-way to a multi-use rail trail and in 1991, the Town enters into a License Agreement with the State’s Executive Office of Transportation for use of a portion of the right-of-way for a park and walkway.
- In August 2004, Consultant Fay, Spofford & Thorndike completed the BFRT Environmental and Engineering Assessment with recommendations that the trail continue over the existing at-grade pedestrian crossing and through the existing park.
- Between 2009 and 2011, while Concord Public Works worked with a landscape architect/designer and the West Concord Green Thumbs to redesign Junction Park, the BFRT Advisory Committee hired consultant Greenman-Pedersen, Inc. to consider design alternatives for crossing the commuter railroad, which was completed in February 2010. Various alternatives were discussed with stakeholders (West Concord Task Force and business and property owners along Commonwealth Ave.) that led to continued discussions with the MBTA regarding alternative crossing locations of the commuter railroad. During this time, the DPLM Director sought input from the CPW Director and Town Engineer on the BFRT route over the commuter railroad and through Junction Park.
- The design developed and implemented by Concord Public Works (with input from a landscape architect/designer and the WC Green Thumbs) for Junction Park was done so with the express intent to provide a multi-purpose, multi-use path through the park that accommodated the rail trail and could be

used by all. This is documented in presentations by CPW Engineering (given September 14, 2011 and November 10, 2011 at Public Works Commission meetings), memoranda prepared by CPW Engineering (November 1, 2011), and as accepted by the Bruce Freeman Rail Trail Advisory Committee on November 3, 2011.

- Additionally, the design for connecting the rail trail to the park over the Woods Hill Table property and adjacent to the Club Car Café/West Concord Depot was prepared by CPW Engineering staff in 2014 and approved by the MBTA. The BFRT design/engineering consultant was given the approved design plan in 2015.
- The BFRT design/engineering consultant and town's project manager were directed by then-Public Works Director Rich Reine to work with CPW Engineering staff in 2015 to integrate the construction of the rail trail with the park without changing the stormwater drainage/retention basin at the edge of the park or the pervious paver placement as Junction Park was constructed.
- During meetings of the BFRT Advisory Committee since late 2020, and more recently the subcommittee, the statement "if we had only known that the rail trail was going to go through the park" things may have been designed differently has been repeated. As documented above, the Town knew in 2005 that the rail trail would be located over the former railroad right-of-way. Two documents (letter from Town Manager Christopher Whelan to the MBTA and the study by Faye, Spofford & Thorndike) noted the recommended location for siting the BFRT was over the former Lowell Secondary Track right-of-way. While crossing the active rail line was in question by the MBTA, there was no question about the recommended use of the Lowell Secondary Track right-of-way as the location for the rail trail. The meeting minutes from two Public Works Commission meetings in 2011 (noted above) clearly discuss the provision of the rail trail in the re-design of Junction Park.
- Recently it was suggested that the August 2012 agreement between the MBTA and the Town allows for exclusive use of the former Lowell Secondary Track as a park, (or for the Town to have the ability to direct such exclusive use); however, that document states:

"Licensee's [the Town's] use of the Premises is non-exclusive and is subject to all encumbrances, restrictions, reservations and other matters of record title and rights of possession in others, including without limitation, future grants of use to others."
- Also, at recent meetings of the BFRTAC and/or subcommittee, some residents have suggested that the MBTA may be willing to allow the Town to use a portion of their land associated with the West Concord Depot building (a.k.a. Club Car Café) to construct a bicycle lane alongside Junction Park, thereby impacting the 9-10 parking spaces associated with the West Concord Depot. Recent discussions with senior officials of the MBTA resulted in reaffirmation that these parking spaces were necessary to continue to offer a viable lease of the property by the MBTA; that they would not be willing to allow such use for a bicycle lane. While the lease with the Club Car Café may have expired, there is a provision in the lease that allows the restaurant to continue its operations in the building, and it is unknown how the MBTA may choose to use the building in the future.

In conclusion, the documents and actions cited above make it clear that since at least 1987, when the feasibility study was prepared by CTPS and the 1991 lease agreement was signed between the Town and the Commonwealth, that the Rail Trail and the Park would occupy and share the same space. The current work of the BFRTAC to develop conceptual redesigns for the short and long term will help to make that shared space serve its multiple purposes in a safe and equitable way.