

Meeting Notes for BoT & BoRT meeting 4/5/22 at 9:00 am via teams.

Subject: DOT & DNCR management for state owned rail trails.

- 1) **Ammonoosuc Rail Trail washout in Lisbon** (not on agenda but discussed).
 - a. DNCR received emergency permit for bioengineered option. Need to source root balls. Did a similar project on Sugar River last year and it has held up well.
 - b. What is the lifespan of root balls? Some projects on the east branch of the Saco River have held up over 20 years. They build up vegetation over time to stabilize themselves.
 - c. DOT's district forces are unable to assist with manpower or equipment for this fix.
 - i. DOT is not willing to offer finances either especially with a bioengineered option. They would want a hard armor solution to protect the highway, which is a much larger permit.
 - d. If BOT does not fix this, even with a temporary bio-engineered solution, then Rt 302 could be threatened. Could be a pro-active solution now to stabilize riverbank to protect the trail and highway.
 - e. DOT and DNCR have different interpretations for each agency's responsibility for maintenance to rail trails according to Cooperative Agreement.

Photo of washout on Ammonoosuc Rail Trail washout in Lisbon.



Map location of washout on Ammonoosuc Rail Trail in Lisbon.



2) Fort Hill Rail Trail

- a. Current Situation:
 - i. Purchased with TE funds. The Town of Hinsdale thinks they can use wheeled vehicles on causeway.
 - ii. Causeway in need of heavy repairs. Snowmobile accident b/c of big pothole.
 - iii. Local club applying for GIA to fix surface. Gates and rocks needed to block vehicle access.
 - iv. What can be done to address this? This trail is under DOT management.
- b. Lou held up a 1993 newspaper shows residents parking on causeway so this has been happening for a long time.
- c. If DOT bought a gate - could trails install it?
 - i. Not out of the realm, but DOT has a boat ramp project happening on the south end, or at least it was back in 2020. Can we add a gate as part of that project to block access headed north on causeway?
 - ii. DOT will check in with project manager for boat ramp to see where they are at for this project and go from there. Check to see if Town of Hinsdale will provide gates as part of project?
- d. Could stone/waste block barriers be used to block access?
 - i. Residents are going around the ones that are currently in place. Needs to be more permanent solution with no way for anyone to cut chain or go around.
- e. For the north end of the causeway: this area will need a gate as well. Adding in waste blocks with a chain is not stopping residents. We could use that for a short term fix while waiting to acquire a gate, but waste blocks are still going to cost \$1000.
 - i. Concern from BOT is waste blocks narrow the trail and could prevent groomer access.

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1. Needs to ensure still wide enough to accommodate a groomer.
- ii. If local SM club is applying for GIA to fix pot holes. Opportunity for them to use funds to purchase a gate as well to be installed.
- f. Both locations need to be checked for signage to ensure properly signed since photos were taken.

Map Location of causeway on Fort Hill Rail Trail. Residents can go around waste blocks that are currently there. Need a more permanent solution to deter illegal motorized use.



Problem is people are driving onto causeway by going around cement blocks and chain barrier. This photo is the south end. Notice the waste block barrier with chain on ground.



Overhead view of how people are accessing causeway from south end. Gate is to the south to prevent access headed further south. People are driving on causeway going north. Needs to have additional gate to prevent driving north.



Page from DOT's 6/18/2020 PowerPoint proposal for boat launch. Slide 21 states "DNCR - add gate(s) as necessary"

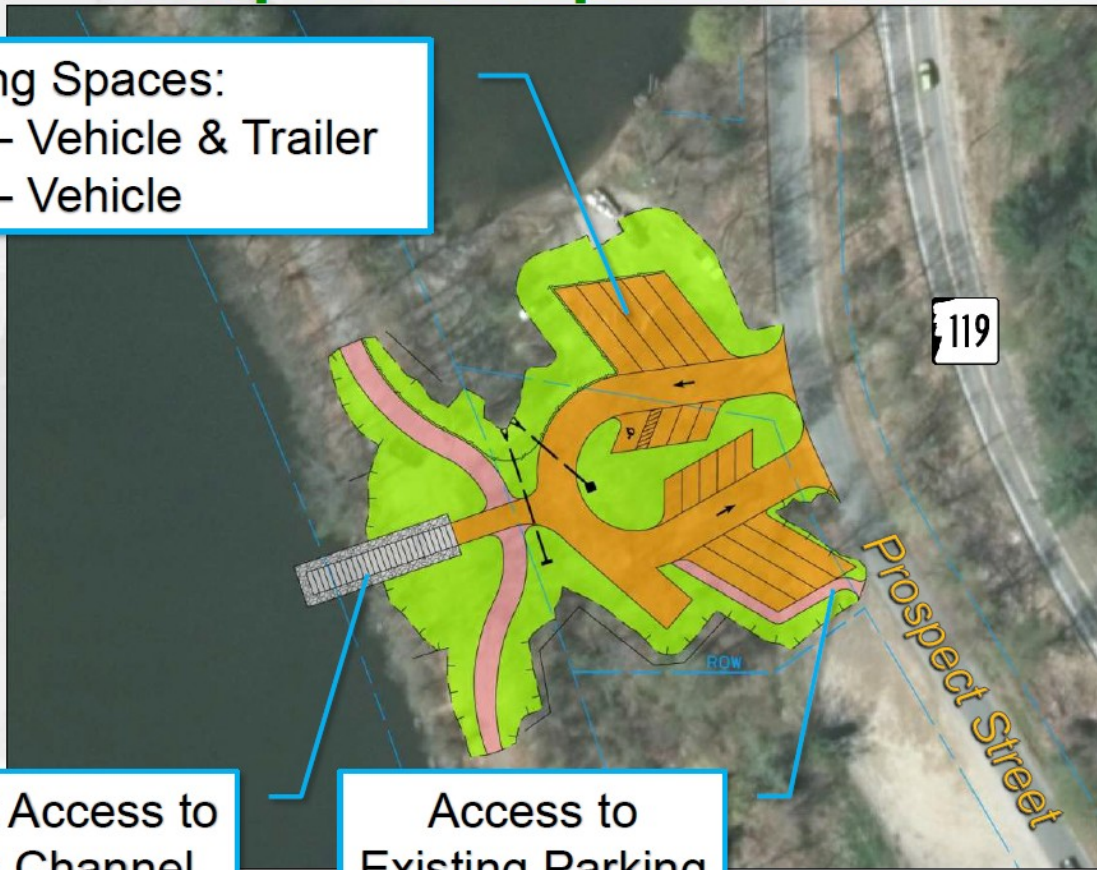
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Proposed Improvements

Parking Spaces:
9 – Vehicle & Trailer
9 – Vehicle

Direct Access to
Main Channel

Access to
Existing Parking



North end of Causeway overhead view.



Looking down causeway facing south with barrier and parking lot on left. Down this part of the trail, approximately where the shadow falls across the trail would be an ideal location for an additional gate. The trail headed north is gated.



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View of current blocked path



Which you can clearly see tire marks going around.



- g. District Supervisor is looking for something in writing to show town of Hinsdale to remind them of no motorized access on causeway. Can a joint DOT & DNCR letter be drafted to submit to town?

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- i. Yes. With some language of “Please advise residents we will be blocking access. We appreciate your cooperation. Etc.”

3) Rockingham Junction Site Plan update

- a. 1/18/22: Arlon Chaffee sent BoT a draft site plan & Craig forwarded to BoRT for comment
- b. 1/19/22: Chuck made comment to add the RR property lines to west side of rail corridor on the bottom of the plan. Between the parking lot and the track. Chuck thinks the RR has a 49.5 ft offset from CL (centerline) of track.
- c. 1/19/22: Craig forwarded Chucks comments back to Arlon.
- d. 2/8/22: Alexis checked in with Arlon to see if Chuck’s edits we made – received updated site plan in response, Alexis forwarded new plan to DOT.
 - i. DOT responded to second plan and sent back to Arlon.
- e. 3/3/22: Arlon said he was going to send Shelley letter from town.
 - i. 4/2/22: Shelley has not received a letter nor any updated plans.
 - ii. Trails Bureau will check in with Arlon to see where they are at.

4) Colebrook to Columbia abandonment

- a. Shelley’s follow up email to last meeting explaining DNCR would be lead on obtaining abandonment filing.
 - i. Shelley provided 9-23-2020 letter to board of selectmen to towns of Colebrook & Columbia, it states DNCR needs partner to fund and file STB abandonment documents.
 - ii. Does this “abandonment” also include any “studies” performed by DES as recommended by Massachusetts BMPs? = No
- b. Need map of exact start and end point from Lou
 - i. Chuck & Lou will have end point and photos.
- c. Alexis confirmed with Lou this portion of corridor was purchased with Federal Railroad Administrative funds and therefore not subject to restrictions of use like TE or TAP funds. Which means we would be able to open it to OHRV use once constructed.
 - i. Trails will speak to Colebrook and Columbia about uses for trail and if OHRV use would be appropriate the entire length of abandonment.
 - ii. Columbia may only want a walking trail if they contribute STB abandonment funds.
 - 1. Trails will not contribute OHRV registration dollars if only a walking trail.
- d. DOT believes the crossing over Simms Stream in Columbia is southernmost point for abandonment.
- e. Question: as we go through the abandonment process, does this change our fee ownership? Or trigger an abutter ownership? = Not with an STB abandonment process, only when acquiring a new location.
- f. Will need a monument survey after STB abandonment
 - i. Could ask DOT survey to perform and pay them like we did with Littleton. Get it out of the way.
- g. Situation to consider: According to Ed Jeffreys, Colebrook got federal money to build a factory to make gloves.
 - i. Rail line only goes so far and rail road company says we are planning to abandon.
 - ii. DOT doesn’t believe there will be any kickback to removing rails because not sure new factory will actually happen.
 - iii. Peter Corey from NCIC is working with this group.
 - iv. Keep this in mind if Colebrook speaks up for better use for line for shipping pellets for this factory to make gloves.

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Possible abandonment section from Bridge Street in Colebrook to Simms Stream in Columbia? (not sure where proposed abandonment will end). ~1.71 miles or 9,042 linear feet.



- 5) Any word on **FEMA** funds being reimbursed?
 - a. 2021 summer washout: with Jack Duncun. DOT has not heard anything.
 - b. DOT transferred all info to Jack Duncun and have not heard from him in a while. All reimbursement will go through Jack.

- 6) FYI: [HB 1579: relative to landowner liability on land authorized for outdoor recreational activities](#).
 - a. This passed house and in senate. Several issues with Duty of Care laws and was looking to strengthen this a bit. Include landowner definition and include railroads. Ex: Peter Leishman issues in Bennington.
 - i. Real issue is Manchester moves group that wants to build trail next to existing line from Manchester to Concord.
 - b. DOT asked our DOT attorney is will this solve our Bennington issue? Their insurer looked at legislation but the were not satisfied. Does not solve insurance provider to provide policy – it won't force anyone to get policy.
 - i. DNCR has not been talking to any insurance company. But we testified on this and brought up this issue. Sponsor of this bill is the Manchester moves group. Our thought is there may be hazards along rail but if it protects the railroad company and insurance company may be more apt to provide coverage. There was a lot of lobbyist attorneys because they were against it because they like to sue people (including the landowner).
 - ii. Question from DOT: this covers us, DOT as a landowner, but how does it layer with the RR operator agreement with their insurance needs? Could be a tweak in the future.

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1. Answer: if it's in committee and senate, DOT may want to testify. DNCR doesn't believe risk management weighed in. State of NH is in duty of care laws, so state lands are in existing statue, but this was more for private railroads.

7) FYI: MOAs for rail trails maintenance with town/cities and non-motorized groups.

- a. Approved by AG's office - BoT has started to issue them to town/cities starting with Cheshire region.

8) Ammonoosuc Rail Trail

- a. Field visit on 3/29/2022 with DOT & DNCR to look at OHRV use west of Industrial Park Rd.
 - i. End point for TE funds is down under 93 bridge, westerly of bridges.
 - ii. We used the existing gate as a reference point, which is very close to where mile marker should have been (mile marker is no longer there).
 - iii. BoT's District 1 supervisor (Clint) is meeting with town of Littleton to talk about this issue for alternatives. He may ask about the town's access to the sewer by using the rail trail.
 1. BOT met with FHWA to talk about this issue and if a waiver is feasible. FHWA says it's not as bad a process as DOT says, but we were not convinced.

Map of location in question. TE purchased end point is just west of I-93, which is cutting trail off from parking in Industrial Park Road which a local business bought for rail trail tour use for OHRVs.



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Photo looking east from suspected end point (gate is used as field reference point) for where legal OHRV use ends.



- b. Field visit on 3/29/22 also went to Hitchner Manufacturing (called “Norfolk Knitting Mills” on VAL sheet 22/21)
 - i. Town has proposal to turn the mill building into apartments.
 - ii. Lou has not sent letter to company.
 - iii. Dave says there is no site review from town.
 - iv. There is a grandiose river plan as part of this, and DOT wants Littleton to do more policy work.

Map of where Hitchner Manufacturing building is on Ammonoosuc extension trail.

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Photo of Hitchner Manufacturing building.



- Propose next meeting date: June 2022

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