

BOARD OF SELECTMEN

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TOWN OF WALPOLE
COMMONWEALTH OF MASSACHUSETTS

December 1, 2011

Attorney John O. Mirick
Mirick O'Connell
100 Front Street
Worcester, MA 01608

Dear Attorney Mirick:

The Walpole Board of Selectmen is in possession of your letter to our Town Administrator dated November 15, 2011 requesting comments from the Town of Walpole on the *I-495/Southwest Regional Commuter Rail and Operations Study* that your firm commissioned. Early last week, Mr. Boynton contacted you, on behalf of this Board, and invited you and your consultant, VHB, to come to Walpole on either December 13 or December 20 to present the findings of the study to our Board in order that we could become more informed on the "facts", and in turn provide greater detail in our comments to said study. On Wednesday November 23, you notified Mr. Boynton that VHB was "unavailable" on either of those two dates, and as such no presentation would be forthcoming to this Board prior to your self-imposed deadline for comments, December 23, 2011. You indicated that VHB would address any questions the Board wishes to submit in writing.

In your letter, you indicated that this study was first presented to the I-495 group in September of this year, and that you "have made a series of presentations" since that time, including one to our neighboring community of Foxborough. As it is widely recognized that the Town of Walpole will indeed be THE most impacted community to any rail expansion to Gillette Stadium as proposed by your plan, our Board is most unhappy and perplexed as to why your presentation tour has not made a stop here in Walpole. As such, our Board offers the following comments without having been afforded the opportunity to hear the corresponding presentation that VHB has made to others.

- 1) The study, in and of itself, is misleading to an entire region. It has a clever title to gain the support of communities in the Interstate 495/Southwest beltway, but yet the details of the report seem to put the primary focus on extending the Fairmount Line from Readville to Foxborough. cursory mention is made for a future review of the possibility of extending service from Walpole to Framingham, but no timetable is provided, other than consideration of future Event Service on the line. Further,

the proposal would essentially “express” the Gillette Stadium trains past Walpole and onto Boston. As such, it is illogical that anyone other than those who are in the immediate Foxborough & Gillette Stadium area would benefit as a result of this plan.

- 2) The Executive Summary cites as an added reason for the Pilot plan that MBTA lots along the Franklin line are nearing capacity. We suggest that the Consultant actually visit the T parking lot in Walpole on Elm Street. This lot was built in the last decade and barely reaches 40% capacity on a given day. Perhaps greater outreach can be made to bring more usage to this lot rather than extend a line for the purpose of providing added parking.
- 3) The suggested alternatives for the Pilot plan to extend the Fairmount line to Foxborough look to be a combination of so-called “Option A” and “Option B” of the 2010 MBTA sponsored commuter rail expansion study that was released just over one year ago. While those proposals call for a new Walpole Station, it is understood that your study does not. However, the disparity in capital cost projections is staggering. Your study, using the “50% contingency” figures, proposes that the work necessary along the line from Walpole to Foxborough, including work at Gillette Stadium station, will be just over \$10 million dollars, assuming that a new “train set” is not needed. The 2010 study, which also did not require a new locomotive under Option A, lists the lowest cost at just over \$50 million dollars. Again, while the 2010 report proposed a new Walpole Station and yours does not, it is difficult to believe that the elimination of the Station saves nearly \$40 million in capital costs. In fact, the 2010 Report indicated that nearly \$11 million dollars in “soft costs” would be needed as part of capital upgrades. We do not detect these in your report. This discrepancy in costs raises questions about the legitimacy of the figures being used to justify the Pilot Program.
- 4) In terms of operation & maintenance cost projections, your plan at \$1.7 million dollars in annual costs comes closest to the annual costs projected in “Option A” of the 2010 report. However, there appears to another discrepancy in the ridership projections the studies used for the service expected. Under your plan, Table ES-7 assumes 660 new riders on the stadium line. However, based upon “Option A” of the 2010 report, the limited service option would only generate 100 new riders. Therefore, the suggestion that the increase in revenue will come even close to \$1.8 million dollars you suggest is difficult to understand. A closer utilization of the figures used in the 2010 study to estimate new riders would clearly indicate that it is unlikely that annual O&M costs will be recovered through fares alone as you suggest, and rather communities throughout the MBTA system could be called upon to help fund an operating deficit for this expansion. This is clearly not something the Town of Walpole is not willing to accept, especially where our Community will bear the burdens of the new line without any detectable benefit.
- 5) Your proposal calls for the increase of speeds on the track between Walpole and Gillette Stadium from the current 10 miles per hour (mph) to 40 mph. The 2010 report under Section 1.2 #9 suggest 60 mph. This track, currently utilized twice per day for CSX freight operations and during Patriots games, all operating at 10 mph or less, in some locations sits just 50-feet behind residential homes, and in some locations just feet from backyard pools where children can be found. To suggest that speeds of 40 mph to 60 mph would become regular in these locations is

completely beyond the bounds of a safe operating condition. Further, it is clear that no study has been done to determine the structural effect these high speeds would have on homes and buildings abutting the track. In addition, the South Walpole Post Office sits a mere 25 feet from the edge of the track with no fencing or protective measures mentioned anywhere in your report for patrons using that facility. To pass off the increased speeds as minor and to do so in such an indifferent manner as is proposed here is most troubling. Life safety considerations for neighbors can never be left out of these discussions going forward.

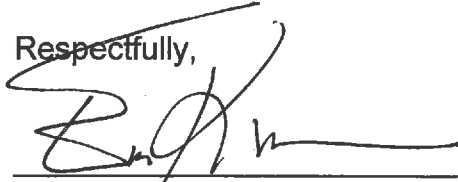
- 6) The introduction of high speed commuter service also has the potential of creating value losses for those homeowners in the area of the existing freight line. Any consideration of actual impacts and costs of this program must include the collateral damage issues that our residents will deal with, damages that we as a Board are unwilling to ask residents to bear.
- 7) There are no discussions within your study of any environmental mandates, studies, or even concerns that must be addressed for major track and signal upgrades to occur within Cedar Swamp and on top of the Town's sole-source water aquifer. This Town will take all measures necessary to ensure that the public drinking water supply of our residents is protected and not subject to being compromised.
- 8) And, as stated at the outset, this "study" was conducted without any consideration of the concerns of the Town of Walpole. To trot this report, a report far less detailed than the 2010 effort, out in the manner it has been is greatly frustrating. As your firm is Town Counsel for several communities, it would be expected that you would more keenly appreciate the disputes and distractions that arise when any municipality is essentially ignored when state or regional projects are proposed or considered. Your report, which strives to "fast-track" the Pilot Plan in the next two years, has ignored the concerns of our Town, and to decline our offer to visit with us to meet a deadline for submission that no one but you has set is all the more difficult to understand.

To summarize, the Board of Selectmen questions the findings of this study, and believes that its abbreviated and minimal conclusions are not based in solid foundation. The accelerated zeal to bring the Pilot Plan to actual operation by the MBTA must be considered in much greater detail, detail that should include, rather than exclude the Town of Walpole's issues. In addition, any track upgrade discussions, as you note are currently occurring between the MBTA and CSX (ES-10), must cease until a true needs-based assessment is completed. That said, it is the position of this Board that the need, measured on a Statewide and system-wide basis, will not bear out that millions of dollars be spent by the MBTA to serve 100 additional riders. The MBTA does not have the money, and our taxpayers do not have the money. With so many existing system needs currently before the MBTA, one would conclude that any discussion of expanding commuter rail service on this freight line is misguided, and perhaps a blurring of the difference between public benefit and private gain.

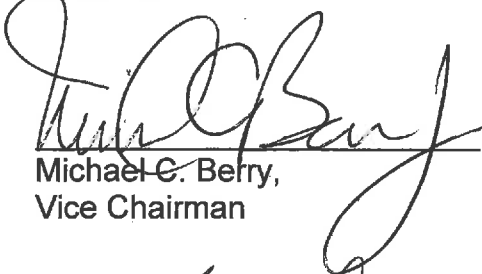
Our Board has requested that the General Manager of the MBTA visit with us to discuss this matter in depth and hear our concerns. Further, we seek the participation and leadership of our elected State and Federal representatives to bring this process to an immediate halt.

Given the priorities facing our Commonwealth, we are hard pressed to see that this proposal should ever become a reality.

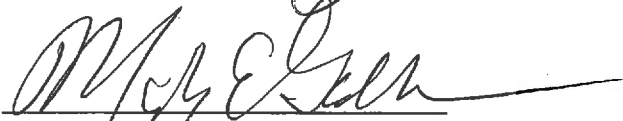
Respectfully,



Eric A. Kraus,
Chairman



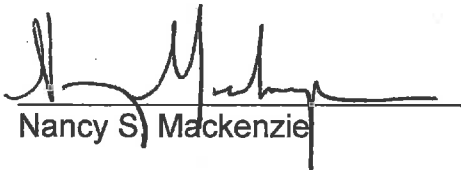
Michael C. Berry,
Vice Chairman



Mark E. Gallivan,
Clerk



Christopher G. Timson



Nancy S. Mackenzie

cc: The Honorable Governor Deval Patrick
The Honorable Congressman Stephen Lynch
The Honorable Senator James Timilty
The Honorable Representative Daniel Winslow
The Honorable Representative Louis Kafka
The Honorable Representative John Rogers
The Honorable Representative Paul McMurtry
Secretary of Transportation Richard Davey
Acting MBTA General Manager John Davies