

Trail enthusiasts gather for program

by Faye Raymond

Legal questions and positive information about building a rail trail were discussed at a gathering in the Gould Barn in Topsfield last week. People attended from surrounding towns such as Methuen, Haverhill, Boxford, Danvers, Southbridge and other communities where they are looking at developing trails, just as Topsfield embarks on the first phase of its proposed 'TLC-Topsfield Linear Common'.

Steve Winslow, an attorney with Brown and Green addressed legal issues that might concern

those who abut such trails. In his work, Winslow has been involved with negotiating leases with the MBTA to develop these former and abandoned railbeds in various cities and towns.

"I've combined my legal background with helping to get trails built," Winslow explained.

'No Trespass' signs are not an excuse for abutting property owners who might neglect safety precautions. According to Winslow, there are certain things that homeowners should do to protect individuals who might wander onto their properties. Repairing stonewalls and fences being one example.

Craig Della Penna, a realtor who operates a bed and breakfast farmhouse located eight feet from New England's first municipally-built and operated rail trail, was the second speaker. He stressed the positives for property owners whose land abuts these trails that are becoming increasingly popular for walking, bicycling, jogging, etc. He explained that he and friends have set up a new land protection entity in Massachusetts called Central Highlands Conservancy LLC, created to buy former railroad corridors to pre-

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vent possible sales to adjacent landowners or commercial developers. In essence this would halt those who would segment and fragment a rail corridor.

Della Penna contends that these former railroad corridors can become part of a regional network, providing an off-road connection between schools, downtown areas, city and town services, residential and recreation areas. His presentation included photos of plows used to keep some of these trails open for year round use. Other photos documented wheelchair accessibility, as well as volunteers building bridges across scenic vistas, even municipal bicycles equipped with garbage pickup receptacles using the trails.

Another photo shows a 350-pound bear crossing a trail in North Hampton.

In some communities, trash accumulation on these abandoned trails was often the impetus to begin a linear recreational area.

"In Marlborough, Mass, 15 years ago the trail there got its start because people said, 'let's clean it up,'" said Della Penna.

Having traveled several miles of developed rails to trails through New England and New Jersey, Della Penna has documented efforts made to build the trails, the people who use

them and the communities that are linked by the network. He is proud of one 100-mile trail across Massachusetts that got the governor's attention for construction "because it involved more than a single town project." These trails not only provided recreation, but a means of getting from one place to another and rejuvenation of historic properties on the route. Towns and villages along it have found involvement by Rotary Clubs, Garden Clubs and other civic organizations.

"People reconnect when you build trails. It doesn't happen that way in communities without sidewalks and in houses without porches," Della Penna elaborated.

While those present applauded the speakers and proponents of the rail trail, Topsfield's Robert Morgan of Washington Street said he was not happy with the answers or the ability to discuss legal issues. Morgan also challenged the assertion that Topsfield selectmen have said that the rail trail funding will not become a part of the town's budget.

Selectman Richard Gandt pointed out that selectmen continue that stance, however grants have been received that are government moneys.

"If the federal government's stimulus package decides to use moneys (for trails) the issue is, it will not be a cost for the town. It would be a use of

tax receipts but will come from other than the town," said Gandt.

Topsfield's Joe Geller reported to the group that 11 bidders have reviewed plans for the development of the first phase of the Topsfield Linear Common and the town's trail committee will be seeking further grant for the second phase of development. Local fundraisers are being planned; well as recruiting volunteer workers for trail maintenance.



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