

**From:** Boyle, Mark  
**To:** "Robert W. LaVita"  
**Subject:** RE: TRA Project No. MBTA-14062, Request to Grant Permanent Easement along Central Mass Branch Right of Way  
**Date:** Wednesday, April 16, 2014 8:45:00 AM  
**Attachments:** [image001.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)

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Ok, but with similar reversion and relocation requirements. Thanks.

Also, have you coordinated this request with Dan Driscoll from DCR and any impacts on the rail trail?

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**From:** Robert W. LaVita [<mailto:rlavita@TRAdvisors.com>]  
**Sent:** Wednesday, April 16, 2014 8:41 AM  
**To:** Boyle, Mark  
**Subject:** RE: TRA Project No. MBTA-14062, Request to Grant Permanent Easement along Central Mass Branch Right of Way

Mark:

Although NSTAR's plans are preliminary, I believe the installation will be overhead lines similar to what they now have existing along portions of the Central Mass Branch in Weston and Waltham.

Bob

**Bob LaVita | Director of Acquisitions/Right of Way**  
**TRA |** 77 Franklin St. 9<sup>th</sup> Floor, Boston, MA 02110  
Main: +1 617 502 1420 | Mobile: +1 978 804 5998 | Fax: +1 617 482 0210  
[rlavita@TRAdvisors.com](mailto:rlavita@TRAdvisors.com) | [www.TRAdvisors.com](http://www.TRAdvisors.com) | [www.TODNews.com](http://www.TODNews.com)



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**From:** Boyle, Mark [<mailto:MBoyle@MBTA.com>]  
**Sent:** Wednesday, April 16, 2014 8:31 AM  
**To:** Robert W. LaVita  
**Cc:** Tavernier, Edmund; Hunter, Edmond; Anne-Marie Enderby; SEKKAT, ADRIEN  
**Subject:** RE: TRA Project No. MBTA-14062, Request to Grant Permanent Easement along Central Mass Branch Right of Way

Ok, hearing no objection, please move forward with this subsurface utility easement along the Central Mass Branch ROW, which is currently under lease to DCR for the rail trail. Please make sure that under the reversion clause for a future transportation project, NSTAR is responsible for relocating their infrastructure at their expense.

Thank you.

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**From:** Robert W. LaVita [<mailto:rlavita@TRAdvisors.com>]  
**Sent:** Wednesday, April 16, 2014 8:25 AM

**To:** Boyle, Mark  
**Cc:** Tavernier, Edmund; Hunter, Edmond; Anne-Marie Enderby  
**Subject:** TRA Project No. MBTA-14062, Request to Grant Permanent Easement along Central Mass Branch Right of Way

Mark:

On February 20, 2014, we sent a canvass memo along to various departments to seek approval to grant a permanent easement to NSTAR along the Central Mass Branch ROW from Sudbury to Hudson. We have also initiated the appraisal process. We have also sent follow up emails requests but have yet to receive approval and/or comments with the exception of Development.

Kindly advise.

Thanks,

Bob

**Bob LaVita | Director of Acquisitions/Right of Way**

**TRA | 77 Franklin St. 9<sup>th</sup> Floor, Boston, MA 02110**

Main: +1 617 502 1420 | Mobile: +1 978 804 5998 | Fax: +1 617 482 0210

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**Petersen LaChance Regan Pino, LLC**  
Real Estate Services

**Real Estate Appraisal  
of  
Proposed Utility Corridor Easement  
on a portion of the  
Central Massachusetts Branch,  
Sudbury to Hudson, Massachusetts**

Prepared for:

Mr. Robert LaVita  
Right of Way Agent  
Transit Realty Advisors  
77 Franklin Street, 9th Floor  
Boston, MA 02110

Date of Valuation:

May 4, 2014

Date of Report:

May 19, 2014

Prepared by:

Richard K. Pino, Partner

**Petersen LaChance Regan Pino, LLC**

# Petersen LaChance Regan Pino, LLC

Real Estate Services

John G. Petersen, MAI, SRA  
William A. LaChance, MAI, SRA  
John A. Regan, MAI  
Richard K. Pino

May 19, 2014

Mr. Robert LaVita  
Right of Way Agent  
Transit Realty Advisors  
77 Franklin Street, 9th Floor  
Boston, MA 02110

Dear Mr. LaVita:

The purpose of the appraisal is to provide an opinion of the market value of a proposed permanent easement to be located on a portion of an abandoned railroad line. The easement is to be located on portions of the corridor that are to be used as a public recreational and alternative transportation corridor under an existing long term license agreement. The easement is commonly known as the Proposed NSTAR Easement, Central Massachusetts Branch, Sudbury to Hudson, Massachusetts. The Massachusetts Bay Transportation Authority owns the property.

Our intention has been to prepare this appraisal in accordance with the Uniform Standards of Professional Practice (USPAP) and in accordance with the Federal Transit Administration appraisal requirements of Uniform Act 49 CFR 24.103. The appraisal is also intended to conform to the code of ethics and standards of professional practice as established by the Appraisal Institute and the International Right of Way Association.

We have inspected the property, collected and analyzed relevant data and applied appropriate valuation methods. As a result of the analysis, it is our opinion that the market value of the property as of May 4, 2014 is:

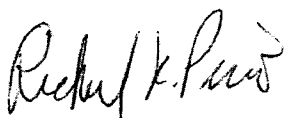
EIGHT MILLION TWO HUNDRED FORTY THOUSAND DOLLARS  
(\$8,240,000)

The value estimate represents cash equivalent value and is subject to the assumptions, limiting conditions and certifications, as well as any extraordinary assumptions and hypothetical conditions outlined in the appraisal report.

This letter does not constitute an appraisal or an appraisal report. The letter, accompanied by the following report, discussing the methodology and conclusions utilized to arrive at the value opinion, constitutes the appraisal report as defined by USPAP.

Sincerely,

**Peterson LaChance Regan Pino, LLC**



Richard K. Pino, Partner  
MA Certified General R. E. Appraiser # 64

**SUMMARY OF SALIENT FACTS AND CONCLUSIONS**

<b>Purpose of Appraisal:</b>	The purpose of the appraisal is to provide an opinion of the market value of a permanent easement.
<b>Use of the Appraisal:</b>	The use of this appraisal is to provide the client with an opinion of value for disposition purposes.
<b>Affected Property:</b>	<p>The property is commonly known as the Proposed NSTAR Easement to be located on a portion of the Central Massachusetts Branch, Sudbury to Hudson, Massachusetts.</p> <p>The affected property is a former railroad right of way extending for a lineal distance of 8.63 miles, from approximately ¼ mile east of Landham Road in the Town of Sudbury to "an area between Cox Street and Tower Road in the community of Hudson." A small portion of the right of way extends through the Town of Stow.</p> <p>The affected property is long and rectangular in shape. The physical characteristics of the affected property can generally be described as a right of way or corridor. This right of way is generally 82.5 feet wide and contains a total of 3,757,050 of land area (86.25 acres). The existing improvements are the remnants of the former railroad use.</p> <p>The MBTA leased the portion of the Central Mass Branch extending from Waltham to Berlin, which includes the affected property, to the Commonwealth of Massachusetts, Department of Conservation &amp; Recreation (DCR) in December of 2010. The property was leased for a 99 year term, as an alternative transportation corridor (rail to trail), for "nominal" consideration. As of the date of value, DCR has not redeveloped this corridor into its intended use.</p>
<b>Highest and Best Use:</b>	The highest and best use of the affected property is as an alternative transportation and utility corridor.
<b>Property to be acquired:</b>	<p>NSTAR Electric Company wishes to use portions of corridor for an electricity transmission easement. The property to be acquired is a permanent easement to install, construct, operate, maintain and remove fixtures and equipment for the transmission of electricity, together with access to such improvements.</p> <p>The permanent easement covers the entire area of the affected property. The easement is compatible with the physical and legal use of the property. None of the obligations with regard to fee ownership of the land will be the responsibility of the easement holder.</p>
<b>Opinion of Value:</b>	\$8,240,000
<b>Effective Date of Valuation:</b>	May 4, 2014
<b>Date of Report:</b>	May 19, 2014

February 11, 2014

Mark Boyle  
MBTA Assistant General Manager  
Real Estate and Asset Development  
10 Park Plaza Rm 5720  
Boston MA 02116

RE: MBTA Mass Central Rail Line

Dear Mr. Boyle,

NSTAR Electric Company is planning a reliability transmission project extending from Sudbury to Hudson. The MBTA's Mass Central Rail line has been identified as a potential corridor route we would like to pursue. I have spoken to Bob Lavita of the TRA and he requested I send a formal letter to you from NSTAR to request a permanent right and easement from the MBTA for this transmission line occupancy.

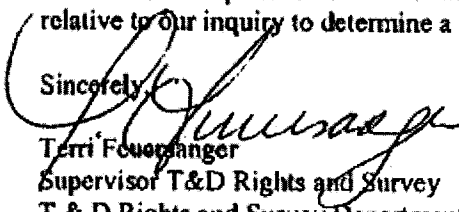
We are aware that the MBTA issued a 99 year license to the DCR for the Mass Central Railway to be utilized as a hiking/ walking trail. As you may already know we have facilities existing on this same rail line extending from Waltham to Sudbury and we have met with the DCR to discuss their hiking trail plans. We do not necessarily see these occupations as incompatible uses of the existing corridor.

Recently we have had positive preliminary conversations with the DCR regarding our interest in acquiring easement rights from the MBTA across a portion of the railway extending from our Rte 20 Sudbury station into Hudson.

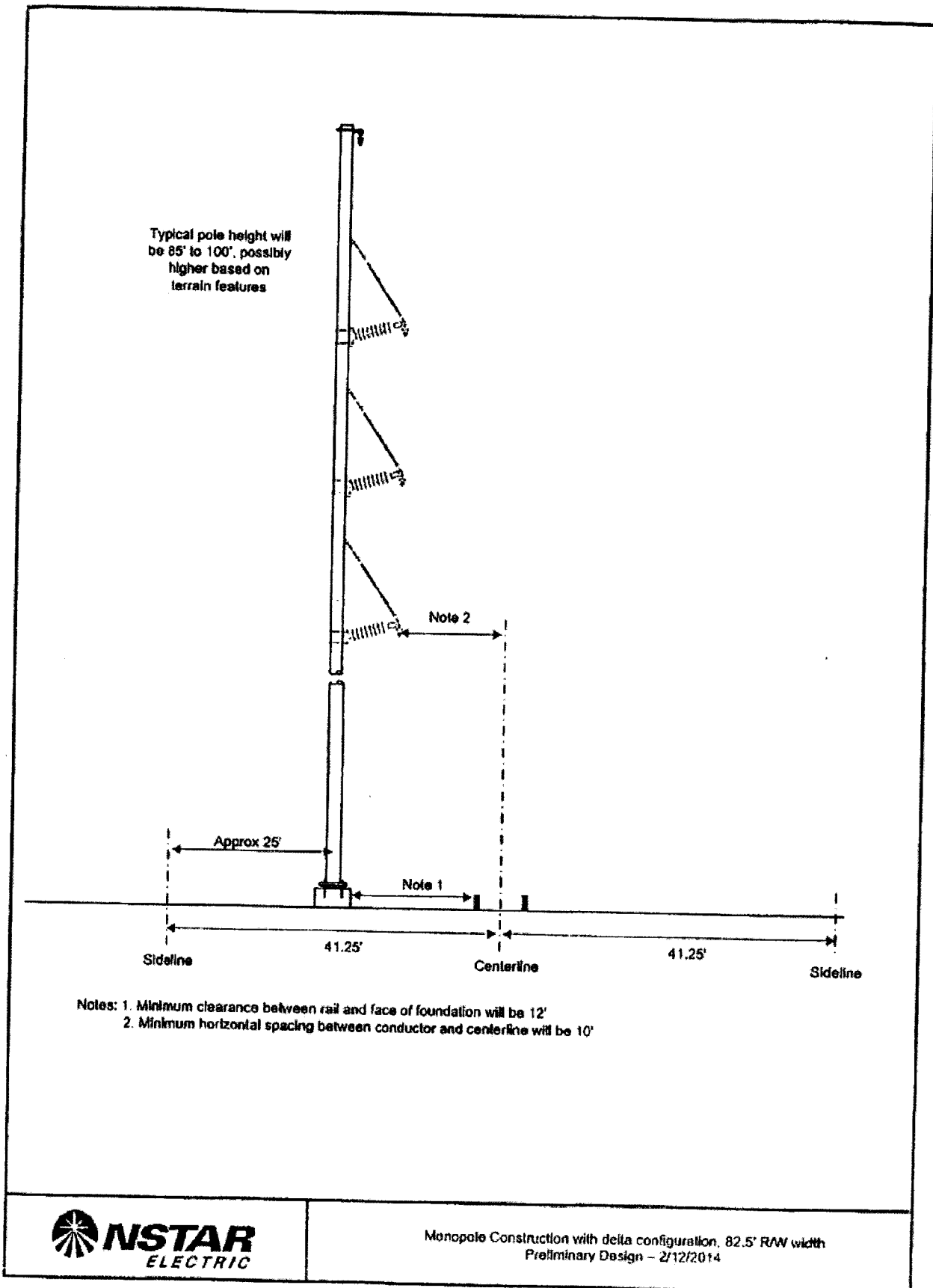
To that end, NSTAR has interest in acquiring a permanent right and easement from the MBTA for an overhead transmission line. Generally speaking the railway corridor is approximately 82.5 feet wide and we are seeking an easement for the entire 82.5' wide corridor width. We would look to occupy from our Rte 20 ( Post Road ) Sudbury station which is approximately ¼ mile east of Landham Road to an area between Cox Street and Tower Road, Hudson where we would tie into Hudson's municipal light station. The project is still in the conceptual design stage, and there is a possibility that an underground section of line may have to be installed for the tie into the Hudson substation.

I attach a preliminary design plan of our proposed occupation and would request that you accept this letter as our formal request for an easement. I understand from Bob LaVita that an appraisal will be ordered relative to our inquiry to determine a market price the MBTA would be seeking for our easement rights.

Sincerely,



Terri Fournonger  
Supervisor T&D Rights and Survey  
T & D Rights and Survey Department  
NSTAR Electric, a Northeast Utilities Company  
One NSTAR Way, SE 210  
Westwood MA 02090  
781-441-8277



**ZONING AND USE LIMITATIONS**

The property is located in several different zoning districts as it extends from Sudbury to Hudson. These zoning districts are summarized in the following exhibit.

SEGMENT	Zoning District	Distance	
		(Miles)	(Feet)
<b>Sudbury</b>		4.375	23,100
Beginning - Boston Post Road	RES A-1	1.250	6,600
Station Road	BD	0.250	1,320
West of CSX ROW	LID 1	0.625	3,300
Horse Pond Road	RES A-1	0.500	2,640
West of Dudley Brook (North)	RES A-1	1.440	7,603
to Hudson	OSD 1	0.310	1,637
West of Dudley Brook (South)	RES C-1	0.563	2,970
to Hudson	RES WI	0.188	990
	RES C-1	0.250	1,320
	RES WI	0.750	3,960
<b>Stow</b>	Residential	0.063	330
<b>Hudson</b>		4.188	22,110
Sudbury - Parmenter Road	SA-8 (VI)	1.156	6,105
Parmenter Rd. - Marlboro Rd.	M-6 (II)	1.500	7,920
Marlboro Rd. - Route 62	SA-8 (IV)	0.500	2,640
Wilkins St.(RT 62) - Cox St.	SA-7 (II)	0.344	1,815
Cox St. - Priest St.	M-5 (II)	0.375	1,980
Priest St. - End	SA-7 (II)	0.313	1,650
<b>TOTAL</b>		<b>8.63</b>	<b>45,540</b>

In the community of Sudbury the property is located in the following districts as shown on the zoning map; Residential A (RES A-1), Residential C (RES C-1), Wayside Inn Historic Preservation Residential Zone (RES WI), Business District (BD 5), Limited Industrial District (LID 1) and an Open Space District (OSD 1).

Most "Exempt and Institutional" uses are permissible in all the zoning districts, as are, agricultural use. Single-family use is permitted only use permitted by right in the residential districts and no residential uses are permitted by right in business, industrial and the Open Space District.

Permitted uses within a Business District include, but are not limited to retail, personal service, restaurant, office, bank, drive-in establishment, club or lodge, light manufacturing and laboratory for research and development (R&D). Light manufacturing and R&D are also permissible in a Limited Industrial District, in addition to manufacturing, wholesale, warehouse, self-storage, mini-warehouse and distribution uses.

Permitted uses in the Open Space District include, conservation, recreation, grazing and farming, forestry and religious and educational uses. The OSD 1 district is comprised of land owned by the United States Military Reservation and the Commonwealth of Massachusetts.

The dimensional regulations for Sudbury's zoning districts are summarized in the exhibit located on the following page.



## SECTION 2600 APPENDIX B - TABLE OF DIMENSIONAL REQUIREMENTS:

(also see sections 2326, 2327, 2630 and 2640 for exceptions and other requirements)

RD4/2/2002

A,C,WI 4/9/2003 4/11/2005 Ctr.Setback

DISTRICT	Minimum lot area (sq. ft.)	Min. lot frontage (ft.)	Min. front yard (ft.)	Min. side yard (ft.)	Min. rear yard (ft.)	Min. Street Centerline Setback (ft.)	Min. Side or Rear Setback from Residence Zone (ft.)	Max. height (# stories)	Max. height (ft.)	Max. Building Coverage (% of lot) <sup>1</sup>
A-RES	40,000	180	40	20	30	-	-	2.5	35	40
C-RES	60,000	210	40	20	30	-	-	2.5	35	40
WI	5 acres	210	40	20	30	-	-	2.5	35	40
BD	-	50	20 <sup>3</sup>	5 <sup>2</sup>	-	-	20	2.5	35	60
LBD	-	50	35	5	-	-	20	2.5	35	60
VBD	-	50	20 <sup>3</sup>	-	-	-	20	2.5	35	60
ID	-	50	20	30 <sup>2</sup>	30 <sup>2</sup>	-	30	2	35	60
LID	100,000	50	125	50 <sup>2</sup>	50 <sup>2</sup>	-	100	2	35	25
IP	100,000	50	125	50 <sup>2</sup>	50 <sup>2</sup>	-	300	2	35	25
RD	8 acres	200	100	50 <sup>4</sup>	50 <sup>4</sup>	-	150	3	45	18
OPEN SPACE	-	-	40	40	40	-	100	2	35	10

### THE PORTION TO BE ACQUIRED

The easement is to be used for the transmissions of electricity. According to representatives for the Client and NSTAR, a formal easement agreement has not been finalized. Both parties provided draft examples which have been retained in the appraiser's file.

The following is a summary of the approximate rights to be acquired by NSTAR Electric Company's. This description was taken from the "Draft" example of the Grant of Easement provided by NSTAR.

"...perpetual, exclusive commercial easements in gross (1) to erect, install, construct, reconstruct, replace, repair, maintain, use, operate, inspect and patrol one or more overhead and underground lines for transmission of high and low voltage electric current, including ground wires and lines for communication, signal and control purposes, over, across and under a strip of land \_\_\_\_\_ feet in width hereinafter described (the "Easement Area"), which lines may consist of (a) conduits, pipes or ducts and manholes, with wires, cable and ground wires installed within the same, or of wires, cables and ground wires buried in the ground, or of combinations of all or any of the same, together with, (b) all necessary foundations, supporting structures, hardware, fittings, equipment and appurtenances and (c) such culverts and ways of access as may be reasonably necessary for the convenient construction, operation, maintenance, inspection and patrolling of said lines (the "Facilities"); (2) to construct such Facilities, or any of them, at any time hereafter and at the same or different times and to renew, add to, replace, remove and other wise change the Facilities and each and every part thereof and the location thereof within said Easement Area; (3) to clear and keep clear by physical, chemical or other means said Easement Area or any part thereof of trees underbrush, buildings or other structures; (4) to remove or trim at any time trees located on land outside of the Easement Area now owned by the Grantor which in the judgment of the Grantee may endanger said lines or the operation thereof; and (5) to enter upon and pass along said Easement Area and across adjoining lands of Grantor, on foot and by vehicle, for all of the above purposes, utilizing for such purposes any service roads or parking areas on such adjoining land of Grantor from time to time, The greatest extent possible, and grade the easement Area, as reasonably required."

None of the obligations with regard to fee ownership of the land are the responsibility of the easement holder.

According to the documents provided, the boundaries of the proposed acquisition are over the entire area of the subject property. Based on the available information, the physical characteristics of the proposed acquisition are those described as the subject. Access to the easement will be from public streets or lands under control of the easement holder and the Grantor.

The existing improvements are the remnants of the former railroad use. The easement holder will reportedly restore the easement area to a condition comparable to that prior to the acquisition. No site or building improvements, therefore, will be permanently affected.

## EFFECT OF ACQUISITION ON THE REMAINDER PROPERTY

The acquisition is to be a permanent easement. The easement area is located in an existing right of way which is to be developed and used as a public recreational and alternative transportation corridor under an existing long term license agreement. Therefore, some of the fee simple rights are already held by other parties. The appraiser has summarized the easement's impact on the fee rights of the property in the following exhibit.

### EASEMENT IMPACT ON AREA LOCATED IN OTHER EASEMENTS

Bundle of Rights	% of Fee	Rights Allocation		% of Fee		Rights Allocation		% of Fee	
		Rail - Trail Easement	Property Owner	Rail - Trail Easement	Property Owner	Elec. Trans. Easement	Property Owner	Elec. Trans. Easement	Property Owner
Air Rights	50%	50%	50%	25.0%	25.0%	100%	0%	25.0%	0.0%
Surface Rights	25%	25%	75%	6.3%	18.8%	50%	50%	9.4%	9.4%
Subsurface Rights	25%	10%	90%	2.5%	22.5%	50%	50%	11.3%	11.3%
Total Rights	100%			33.8%	66.3%			45.6%	20.6%
						% of Remaining Fee		68.9%	31.1%

The easement is not fully incompatible with the owner's rights, therefore, does not equate to a full acquisition of the remaining fee rights. The rights are generally shared between the property owner and the easement holder, with the easement holder acquiring a greater share of the useable rights in the corridor area.

Based on the analysis, the property owner's remaining rights in the corridor are reasoned to be 66.3% of the fee simple rights and the easement acquisition will acquire 68.9% of these remaining rights. This results in the owner losing 45.6% of their remaining fee rights in the corridor during the remaining term of the license agreement.

In summary the easement does take away some of the owner's remaining fee simple rights to utilize the area within the easement. The use of the easement by the easement holder also takes away the property owner's ability to fully utilize the area within the easement.

The segment values are calculated as follows.

	Distance (Miles)	Width (feet) (Feet)	Sq. Ft.	Unit of Comparison \$ Sq. Ft.	Total	Comments
<b>Sudbury</b>	4.375					
Begin - Boston Post Rd.	1.250	6,600				
	0.188	990	82.5	81,675 \$	0.50 \$	40,838 Wet
	0.125	660	41.25	27,225 \$	0.50 \$	13,613 Wet
Boston Post Rd	0.188	990	41.25	40,838 \$	7.75 \$	316,491 189 BRP
	0.094	495	41.25	20,419 \$	9.25 \$	188,873 Sud Lot @ \$ 375,000
Landham Rd.	0.125	660	82.5	54,450 \$	9.25 \$	503,663 Sud Lot @ \$ 375,000
Boston Post Rd	0.438	2,310	41.25	95,288 \$	1.60 \$	152,460 192 BRP
	0.438	2,310	41.25	95,288 \$	0.50 \$	47,644 Wet
	0.125	660	82.5	54,450 \$	0.50 \$	27,225 Wet
	0.250	1,320	82.5	108,900 \$	9.25 \$	1,007,325 Sud Lot @ \$ 375,000
Station Road	0.250	1,320	82.5	108,900 \$	3.50 \$	381,150 Com/Ind
West of CSX ROW	0.625	3,300	82.5	272,250 \$	3.50 \$	952,875 Com/Ind
Horse Pond Road	0.500	2,640	82.5	217,800 \$	9.25 \$	2,014,650 Sud Lot @ \$ 375,000
West of Dudley Brook to Hudson	1.750					
Dudley - Hop Brook (North)	0.721	3,808	41.25	157,088 \$	9.25 \$	1,453,066 Sud Lot @ \$ 375,000
Hop Brook - OSD (North)	0.719	3,795	41.25	156,544 \$	0.50 \$	78,272 Wet
OSD 1 (North)	0.310	1,637	41.25	67,518 \$	0.50 \$	33,759 OS
West of Dudley Brook to Hudson	1.750					
RES C-1 (South)	0.563	2,970	41.25	122,513 \$	6.25 \$	765,703 Sud Lot @ \$ 375,000
RES WI (South)	0.188	990	41.25	40,838 \$	2.00 \$	81,675 Sud Lot @
RES C-1 (South)	0.250	1,320	41.25	54,450 \$	6.25 \$	340,313 Sud Lot @ \$ 375,000
RES WI (South)	0.750	3,960	41.25	163,350 \$	0.50 \$	81,675 Wet
<b>Stow</b>	0.063	330	82.5	27,225 \$	0.75 \$	20,419 Stow residential acreage
<b>Hudson</b>	4.188	22,110				
Sudbury - Parmenter Road	1.156					
SA-8 (VI)	0.063	330	82.5	27,225 \$	3.00 \$	81,675 Hud Lot @ \$ 120,000
MA and USA	1.094	5,775	82.5	476,438 \$	0.50 \$	238,219 Wet
Parmenter Rd. - Marlboro Rd.	1.500	7,920	82.5	653,400 \$	2.00 \$	1,306,800 Com/Ind
Marlboro Rd. - Route 62	0.500					
Orchard Dr.	0.219	1,155	41.25	47,644 \$	3.00 \$	142,931 Hud Lot @ \$ 120,000
Orchard Dr.	0.219	1,155	41.25	47,644 \$	0.30 \$	14,293 Hudson residential acreage
Remainder	0.281	1,485	82.5	122,513 \$	0.30 \$	36,754 Hudson residential acreage
Wilkins St. (RT 62) - Cox St.	0.344	1,815	82.5	149,738 \$	4.00 \$	598,950 Hud Lot @ \$ 120,000
Cox St. - Priest St.	0.375	1,980	82.5	163,350 \$	3.50 \$	571,725 Com/Ind
Priest St. - End	0.313	1,650	82.5	136,125 \$	4.00 \$	544,500 Hud Lot @ \$ 120,000
	8.63			3,791,081 \$	3.18 \$	12,037,534

### Corridor Factor

The next step in is to adjust the ATF by a corridor factor (CF). Corridor factors can be developed for the market by dividing the sale price of a corridor by the estimated ATF value. This was impossible in this market area due the limited sale transactions of similar corridors. Other sources of corridor factors is published information. Articles that have appeared in professional publications such as the Appraisal Journal, published by the Appraisal Institute and the Right of Way Magazine, published by the International Right of Way Association indicate corridor factor ranges of .90 to approximately 3. Historical national sales of corridors provide by other appraiser also indicated a corridor factor range of 1 to 3 with averages of approximately 1.5. Based on the published articles and the secondary sales information the corridor factor is estimated to be 1.5.

**CONCLUSION**

The market value of the easement is calculated in the following exhibit:

	\$ 12,037,534	ATF Value
X	1.5	Corridor Factor
	<u>\$ 18,056,301</u>	Land Value of Corridor
	\$ 4.76	Per Sq. Ft. Land Value
X	<u>46%</u>	% Rights Acquired
	\$ 2.17	Indicated Market Value
X	<u>3,791,081</u>	Land Area of Corridor
	\$ 8,238,187	Indicated Market Value
	\$ 8,240,000	Rounded

Based on the data and analysis, it is the appraiser's opinion that the market value of the permanent easement on the property commonly known as the Proposed NSTAR Easement, Central Massachusetts Branch, Sudbury to Hudson, Massachusetts, as of May 4, 2014 is:

EIGHT MILLION TWO HUNDRED FORTY THOUSAND DOLLARS  
(\$8,240,000)

**REASONABLE EXPOSURE TIME**

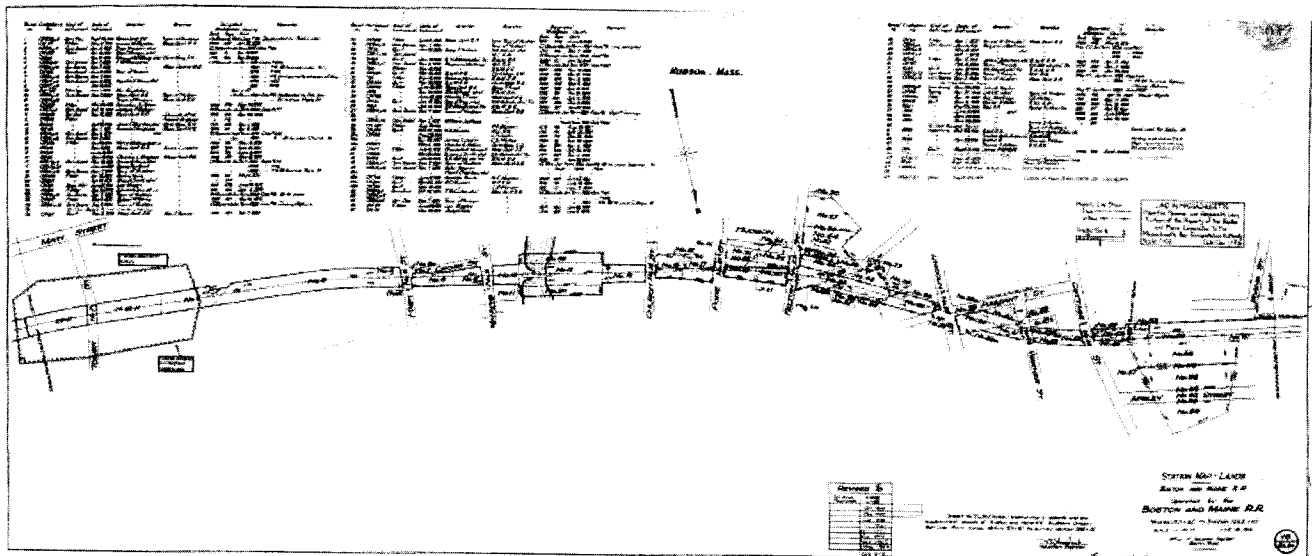
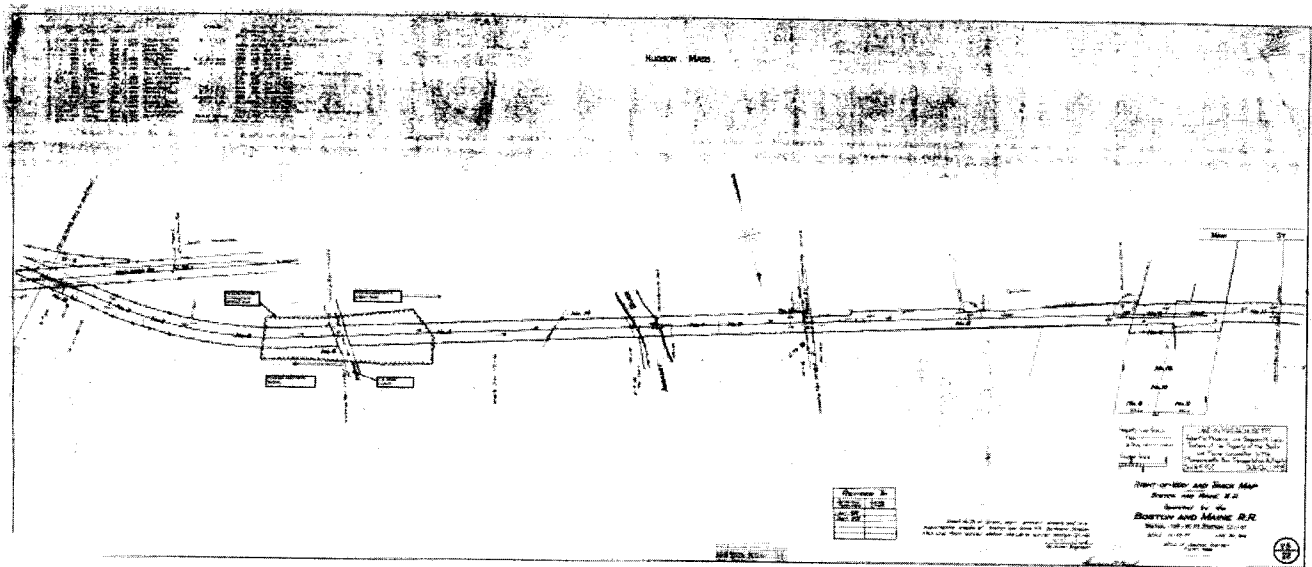
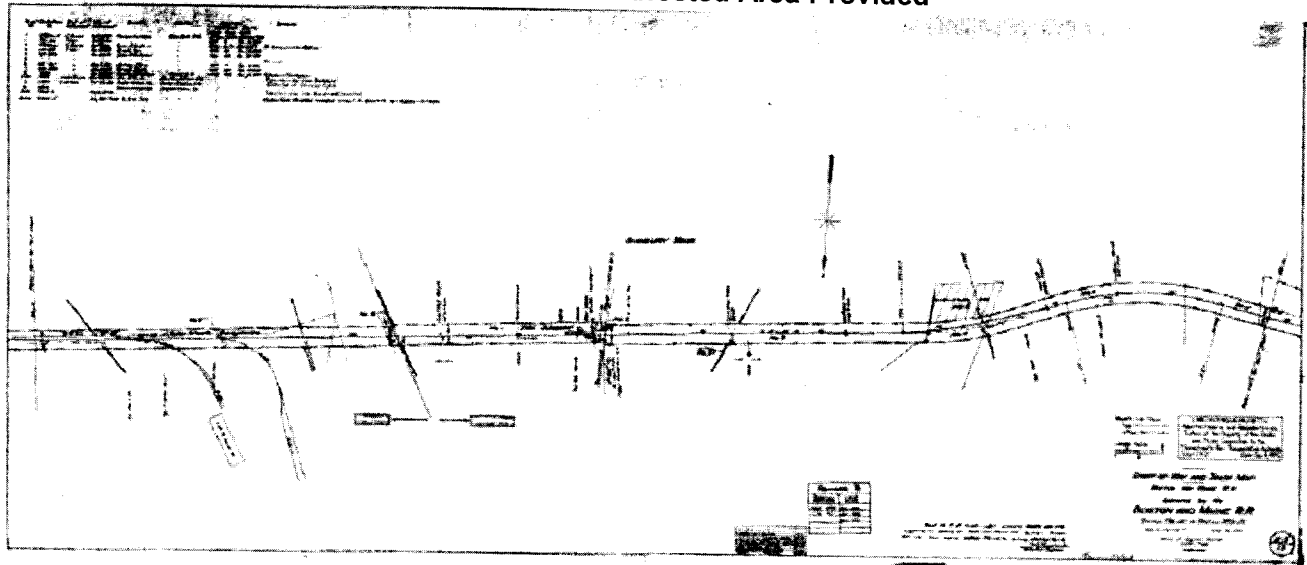
The Uniform Standards of Professional Practice (USPAP) require that exposure time be stated and defined in the reporting of real property appraisals. Exposure time is defined as:

"The estimated length of time that the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal."<sup>6</sup>

Given the property's location, the continued demand for similar property and statistical information regarding the historical marketing times of area real estate, the exposure time estimated for the subject property is within one year.

<sup>6</sup> Appraisal Foundation, Uniform Standards of Professional Appraisal Practice, (2014-2015 Edition), Page U-2.

Corridor Plans of Affected Area Provided



February 11, 2014

Mark Boyle  
MBTA Assistant General Manager  
Real Estate and Asset Development  
10 Park Plaza Rm 5720  
Boston MA 02116

RE: MBTA Mass Central Rail Line

Dear Mr. Boyle,

NSTAR Electric Company is planning a reliability transmission project extending from Sudbury to Hudson. The MBTA's Mass Central Rail line has been identified as a potential corridor route we would like to pursue. I have spoken to Bob Lavita of the TRA and he requested I send a formal letter to you from NSTAR to request a permanent right and easement from the MBTA for this transmission line occupancy.

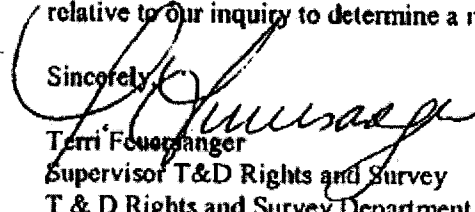
We are aware that the MBTA issued a 99 year license to the DCR for the Mass Central Railway to be utilized as a hiking/ walking trail. As you may already know we have facilities existing on this same rail line extending from Waltham to Sudbury and we have met with the DCR to discuss their hiking trail plans. We do not necessarily see these occupations as incompatible uses of the existing corridor.

Recently we have had positive preliminary conversations with the DCR regarding our interest in acquiring easement rights from the MBTA across a portion of the railway extending from our Rte 20 Sudbury station into Hudson.

To that end, NSTAR has interest in acquiring a permanent right and easement from the MBTA for an overhead transmission line. Generally speaking the railway corridor is approximately 82.5 feet wide and we are seeking an easement for the entire 82.5' wide corridor width. We would look to occupy from our Rte 20 ( Post Road ) Sudbury station which is approximately ¼ mile east of Landham Road to an area between Cox Street and Tower Road, Hudson where we would tie into Hudson's municipal light station. The project is still in the conceptual design stage, and there is a possibility that an underground section of line may have to be installed for the tie into the Hudson substation.

I attach a preliminary design plan of our proposed occupation and would request that you accept this letter as our formal request for an easement. I understand from Bob LaVita that an appraisal will be ordered relative to our inquiry to determine a market price the MBTA would be seeking for our easement rights.

Sincerely,



Terri Fourcangier  
Supervisor T&D Rights and Survey  
T & D Rights and Survey Department  
NSTAR Electric, a Northeast Utilities Company  
One NSTAR Way, SE 210  
Westwood MA 02090  
781-441-8277

**From:** Melissa McCormack  
**To:** [Boyle, Mark](#)  
**Cc:** [Thomas Cox](#)  
**Subject:** RE: Eversource Site visit - Sudbury to Hudson Project  
**Date:** Thursday, June 25, 2015 1:45:05 PM

---

Mark,

The Lease states that we reserve the right to grant utilities along the ROW as long as it does not materially impede the permitted uses under the terms of the lease.

Dan Driscoll and Paul Jahnige were both there. The Assistant town planner from Sudbury was there as well.

There was an appraisal done on this section of the project in 2014. If Eversource can implement the above-ground transmission poles and wires, they would pay the MBTA approximately \$8.25 Million dollars.

Please let me know if you have any further questions. Melissa

Melissa McCormack  
Senior Account Manager  
**Greystone Management Solutions**  
20 Park Plaza, Suite 1120  
Boston, MA 02116  
(617) 316-1671  
[Melissa.McCormack@greyco.com](mailto:Melissa.McCormack@greyco.com)  
[www.greyco.com](http://www.greyco.com)  
[www.mbtarealty.com](http://www.mbtarealty.com)

---

**From:** Boyle, Mark [<mailto:MBoyle@MBTA.com>]  
**Sent:** Thursday, June 25, 2015 11:59 AM  
**To:** Melissa McCormack  
**Cc:** Thomas Cox  
**Subject:** RE: Eversource Site visit - Sudbury to Hudson Project

Please check the language in our lease with DCR on our continued rights to locate utilities along the ROW? Can we do overhead or just subsurface? Does it say any utility installation cannot materially interfere with the rail trail? Who from DCR was there? Dan Driscoll?

Before we decide to enter a fight on this, what's the ballpark \$\$ estimate on potential revenue on this?

Thanks.

Mark

---

**From:** Melissa McCormack [<mailto:Melissa.McCormack@greyco.com>]



**Sent:** Thursday, June 25, 2015 11:54 AM  
**To:** Boyle, Mark  
**Cc:** Thomas Cox  
**Subject:** Eversource Site visit - Sudbury to Hudson Project

Mark,

Eversource was chosen by ISO New England (ISO-NE), as the preferred solution to address identified transmission reliability needs. Our team is in discussion with Eversource to utilize inactive MBTA Rights of Way to implement this project.

The largest component of their project could utilize approx. 8 miles of the Central Mass Branch through Sudbury and Hudson. This ROW is presently leased to DCR; the portion of that Eversource would like to use has not been built for active use. This project could have a substantial financial impact for the MBTA, while also providing a funding source to implement the bike path.

However, Eversource's preferred route is to implement an overhead solution, verses a subsurface. Note: the existing Eversource facility in Sudbury they seek to connect to is already overhead. At a site visit yesterday that I attended, there was push back by DCR and the community on the overhead lines based on required clearing.

Eversource has indicated that the subsurface solution is not economically feasible, thus an alternative route would have to be found – that would not include MBTA property.

Potential income from telecom and utility needs are infrequent – it would be a substantial missed opportunity for the MBTA if this project was not implemented on MBTA property.

Let's discuss with Tom when you have an opportunity.

Melissa

Melissa McCormack  
Senior Account Manager  
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[Melissa.McCormack@greyco.com](mailto:Melissa.McCormack@greyco.com)  
[www.greyco.com](http://www.greyco.com)  
[www.mbtarealty.com](http://www.mbtarealty.com)

\* \* \* \* \*

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**From:** Melissa McCormack  
**To:** [Boyle, Mark](#)  
**Cc:** [Thomas Cox](#)  
**Subject:** RE: Eversource Site visit - Sudbury to Hudson Project  
**Date:** Thursday, June 25, 2015 1:52:36 PM

---

Yesterday, we were all in a van on tour of many of the crossings. The PM from Eversource casually said to the guys at DCR – “If you let us go overhead, we will build the bike path”

Melissa McCormack  
Senior Account Manager  
**Greystone Management Solutions**  
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(617) 316-1671  
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[www.greyco.com](http://www.greyco.com)  
[www.mbtarealty.com](http://www.mbtarealty.com)

---

**From:** Boyle, Mark [<mailto:MBoyle@MBTA.com>]  
**Sent:** Thursday, June 25, 2015 1:51 PM  
**To:** Melissa McCormack  
**Cc:** Thomas Cox  
**Subject:** RE: Eversource Site visit - Sudbury to Hudson Project

Well, \$8.25million is worth the fight!

Also, you mention that the Eversource project could also help fund the bike path, not from our \$8.25million? They (Eversource) would build/contribute directly and separately to DCR/Sudbury?

---

**From:** Melissa McCormack [<mailto:Melissa.McCormack@greyco.com>]  
**Sent:** Thursday, June 25, 2015 1:45 PM  
**To:** Boyle, Mark  
**Cc:** Thomas Cox  
**Subject:** RE: Eversource Site visit - Sudbury to Hudson Project

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\* \* \* \* \*

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**From:** Melissa McCormack  
**To:** [Boyle, Mark](#)  
**Cc:** [Thomas Cox](#)  
**Subject:** DCR Meeting  
**Date:** Thursday, September 10, 2015 11:15:54 AM

---

Mark,

Dan Driscoll and Paul Janighe from DCR are coming in tomorrow at 11AM for a meeting at your office. I spoke with Paul and here are the items that we would like to discuss tomorrow:

1. **Eversource Sudbury to Hudson Project** - Above-ground vs. below-ground transmission route
  - o Eversource prefers above ground and going below ground may become too expensive for them
    - If they are outpriced, we may lose this deal
  - o DCR is against an above ground project and would like Eversource to go underground
  - o It is in the MBTA's best interest to support the above ground project
  - o This project will generate close to \$8.5 million when it is constructed

# Nonresponsive

**From:** Krista LoCurto  
**To:** Hunter, Edmond; Culp, Steven; Martin, Jack; Brennan, Andrew; Lally, William; Morgan, Ronald  
**Cc:** Boyle, Mark; Thomas Cox; Melissa McCormack; Michael Swedick; Dacey, Sean; Belovarac, Kenneth; Thomas, Catherine; Darby, Debra; Biggins, Kevin; Joseph, James; Helmar, Dorothy  
**Subject:** Canvassing Memo MBTA-15193- Utility Easement  
**Date:** Tuesday, December 01, 2015 2:12:39 PM  
**Attachments:** Canvassing Memo MBTA-15193.docx

---

Good afternoon all,

Attached please find a canvassing memo requesting a utility easement along the Central Mass Branch right-of-way through Sudbury, Hudson, Stow, and Marlboro for your review and approval.

Thank you,  
Krista

Krista LoCurto  
Lease Manager  
**Greystone Management Solutions**  
20 Park Plaza, Suite 1120  
Boston, MA 02116  
(617) 316-1664  
[klocurto@greyco.com](mailto:klocurto@greyco.com)  
[www.greyco.com](http://www.greyco.com)

\*\*\*\*\*

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[illegible]

[illegible]

# Active Projects



Project Name	Project Overview/Description	Municipality	Project Type	Estimated Value to MBTA	Expected FY Impact	Status
Eversource - Sudbury to Hudson Project	Option Agreement for an Easement to support a power transmission line along the Hudson to Sudbury Branch ROW. Implementation is dependent on applicant receiving a successful award to support an ISO project.	Various	Easement	\$85,000 (Option Payment on \$8,000,000 deal if option is exercised)	TBD	Scheduled to close January/February 2016 (Option agreement only, not permanent easement)

# Nonresponsive

- The MTBA is entering into an option agreement with Eversource for a utility easement along approximately 8.6 miles of MBTA right-of-way from the Sudbury Station 342 and Hudson Municipal's Station 384 through Sudbury, Hudson, Stow, and Marlboro. Nearly the entire easement route is along the MBTA inactive Central Mass Branch right-of-way. The parties are still negotiating the value of the option. This transaction is scheduled to close in June 2016.

# Nonresponsive

# MASSACHUSETTS REALTY GROUP

REAL ESTATE CONSULTANTS TO THE MBTA

## MEMORANDUM

**TO:** Edmond Hunter, Assistant General Manager of Design & Construction  
Steve Culp, Deputy Director of Safety Systems  
Jack Martin, Power  
William Lally, Railroad Operations  
Andrew Brennan, Director of Environmental Affairs  
Ronald Morgan, Development

**CC:** Mark E. Boyle, Assistant General Manager for Real Estate and Asset Development

**FROM:** Krista LoCurto, Lease Manager

**DATE:** December 1, 2015

**RE:** Request for non-exclusive utility easement option **MBTA- 15193**

Please Respond by December 30, 2015

Eversource Energy ("Eversource") has requested an option agreement for a non-exclusive utility easement along approximately 8.9 miles of MBTA Central Mass Branch right-of-way through Sudbury, Hudson, Stow, and Marlboro. The Central Mass Branch is currently not an active right of way, but does have an active alternative transportation corridor lease (multiuse path) with the Division of Conservation and Recreation ("DCR"). The multiuse path has not been constructed, but DCR is working with Eversource to possibility construct the multiuse path as a part of this transaction. Eversource has not been awarded the rights to this possible electric transmission project and will require an option agreement for the non-exclusive utility easement.

Eversource's preferred route is a new overhead line that would follow a MBTA railroad right-of-way which runs adjacent to the Sudbury substation for approximately 7.6 miles into the Town of Hudson. The remaining 1.3 miles to Hudson substation will be underground within the Town of Hudson's street limits, please see the attached plan. As part of construction of this project, a 12 foot wide access road will be created which may be used by others as a multiuse path after the project has been completed. Eversource's alternate route, and not preferred, would be to construct the whole project underground.

Please review this request, and, if this is acceptable, acknowledge by signing below. We would appreciate your response by **December 30, 2015**. Please advise us as to your concerns and any special conditions that may apply. Reference to the MBTA file number on all correspondence is helpful.

Please contact the Project Manager, Melissa McCormack (617-316-1671 – [Melissa.Mccormack@greyco.com](mailto:Melissa.Mccormack@greyco.com)) should you have any questions or need any additional information. Thank you.

**Cc:** Massachusetts Realty Group: T. Cox; M. McCormack, M. Swedick;  
MBTA: S. Dacey, K. Belovarac, C. Thomas, D. Darby, K. Biggins, J. Joseph, D. Helmar

APPROVED:

APPROVED WITH CONDITIONS:

NOT APPLICABLE:

DENIED:

(Please provide an explanation)





### Explanation of Fees Due

Administrative Fee - \$1,000 to be submitted with application  
License Fee - To be determined by MBTA and to be paid at time of license execution  
Design and Construction Review Fee - This fee is not required for all applications. If you are required to pay this fee you will be contacted by the MRG License Administrator - \$1,600 + Structural Review Fee (to be determined by MBTA)

All checks should be made payable to the MBTA and submitted to:

Massachusetts Realty Group  
Attention: Pat Barrett  
20 Park Plaza, Suite 1120  
Boston, MA 02116

It is hereby understood and agreed that the undersigned applicant will bear any and all costs associated with MBTA's preliminary and final engineering review in connection with this application. Any charges in excess of the initial advance payment will be billed directly to the billing address indicated below.

\* Indicates a required field

### Contact/Company Information

Applicant Name \*

(NSTAR Electric Company d/b/a Evers

Title

Legal Address 1 \*

One NSTAR Way, SE210

City \*

Westwood

Zip \*

02090

Email \*

Theresa.Feuersanger@eversource.co

Business Type

☒ Corporation

☐ Limited Liability Partnership

☐ Other

☐ Municipality

☐ Limited Partnership

☐ Limited Liability Corporation

☐ General Partnership

State of Incorporation

Massachusetts

Company Name \*

(NSTAR Electric Company d/b/a Ever

Legal Address 2

State \*

Massachusetts

Phone \*

(781) 441-8277

### Billing Information

☒ Check box if same as above; if not, please complete below

Billing Address 1 \*

Department/ATTN

City \*

Zip \*

Email \*

Billing Address 2

State \*

Phone \*

## Technical Information

1) Is this occupancy within the limits of a public road?  
☐ Yes ☒ No

2) If occupancy is under, over, through, or attached to undergrade or overhead bridge, who owns?

Existing lines are all overhead and n

3) Type of Occupancy (Facility)  
A. Size

1. Exact length of MBTA property to be burdened by occupancy

7.2 mi

2. Width of excavation facility on MBTA railroad property

No Excavation.

3. Number of manholes

N/A

B. Does this project involve the installation of aerial or underground wire and cables?  
☐ Yes ☒ No

1. Does this project involve the installation of telephone or other communication cables?  
☐ Yes ☐ No

a) Number of cables

b) Number of pairs/cable

c) Are these composite coaxial cables?  
☐ Yes ☐ No

2. Does this project involve the installation of power cables?  
☐ Yes ☐ No

a) Number of cables/size

b) Number of distribution cables

c) Are these pipe-type cables consisting of one or more high voltage cables encased in steel pipe under inert oil pressure?  
☐ Yes ☐ No

3. Does this project involve the installation of fiber optic cables?  
☐ Yes ☐ No

a) Number of cables

b) Number of volts per conductor

c) Number of transmission cables

d) Number of strands in each cable

e) Number of repeater stations on MBTA Railroad property

f) Systems (check one)

☐ Transmission ☐ Distribution ☐ Sensor

4. Number of spare or unoccupied ducts to be installed

5. Does this project involve the installation of attachments of aerial wires and cables to poles or other structures of MBTA used in wire line construction or support?  
☐ Yes ☐ No

a) Number of wires attached to MBTA cross-arm

b) Voltage of wire

c) Number of wires attached to applicant's cross-arm or bracket

d) Voltage of wire

e) Number of cross-arms or brackets attached to MBTA poles





Charles D. Baker, Governor  
Karyn E. Polito, Lieutenant Governor  
Stephanie Pollack, MassDOT Secretary & CEO  
Frank DePaola, Interim General Manager

**massDOT**  
Massachusetts Department of Transportation

December 2, 2015

Ms. Krista LoCurto  
Lease Manager  
Greystone Management Solutions  
20 Park Plaza, Suite 1120  
Boston, MA 02116

Subject: MRG File #15193- Eversource Energy  
Request for a Utility Easement  
Sudbury, Hudson, Stow, and Marlboro, MA  
MBTA Power Department Review Comments

Dear Ms. LoCurto,

Per your request, the MBTA Power Department has reviewed File #15193, dated 12/1/15, submitted by Eversource Energy for a non-exclusive utility easement along approximately 8.9 miles of MBTA Central Mass Branch right-of-way through Sudbury, Hudson, Stow, and Marlboro, MA. As a result of our review, we would like to provide the following comments:

1. This work does not adversely affect the MBTA Power Department. Therefore, we do not object to this request.

If you have any questions regarding this response, please feel free to contact my office at (617) 222-3199.

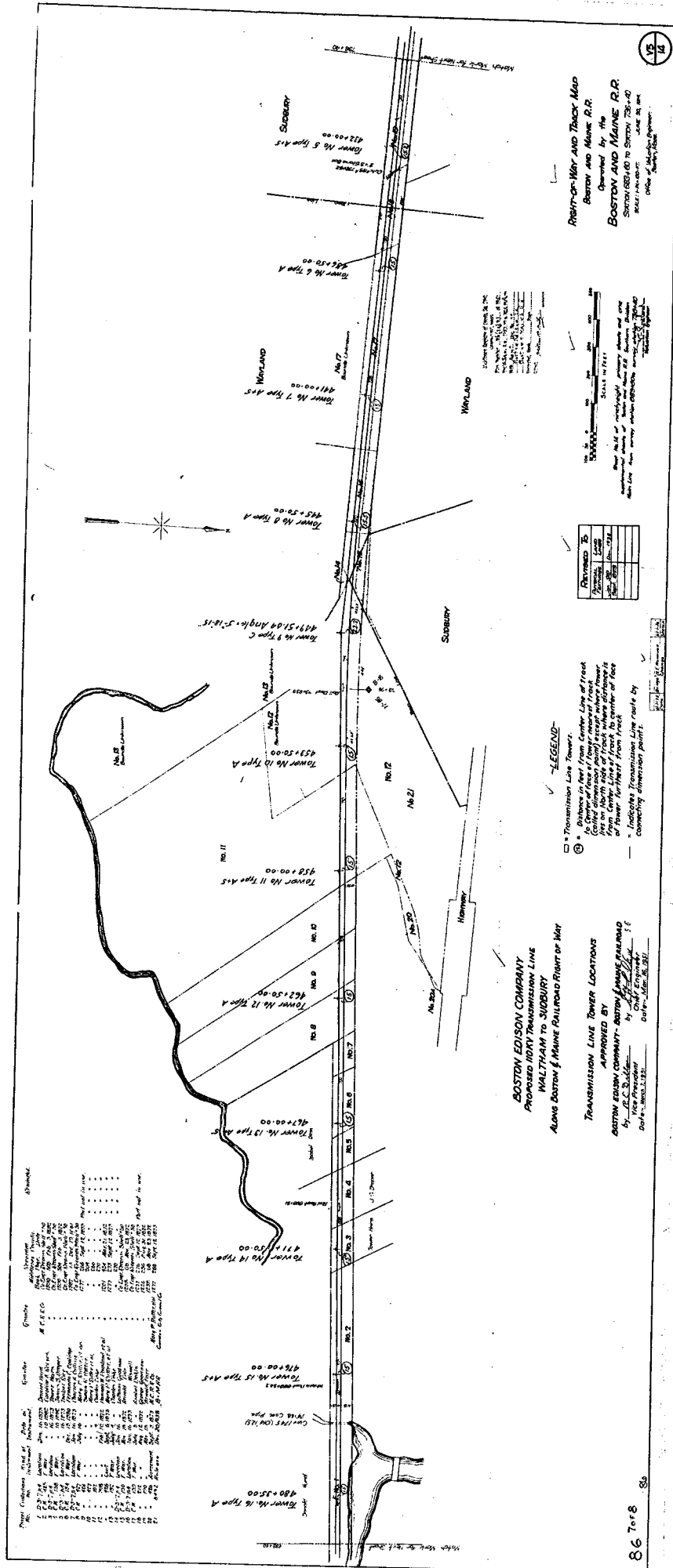
Sincerely,

Jack Martin  
Transmission and Distribution  
MBTA Power Department

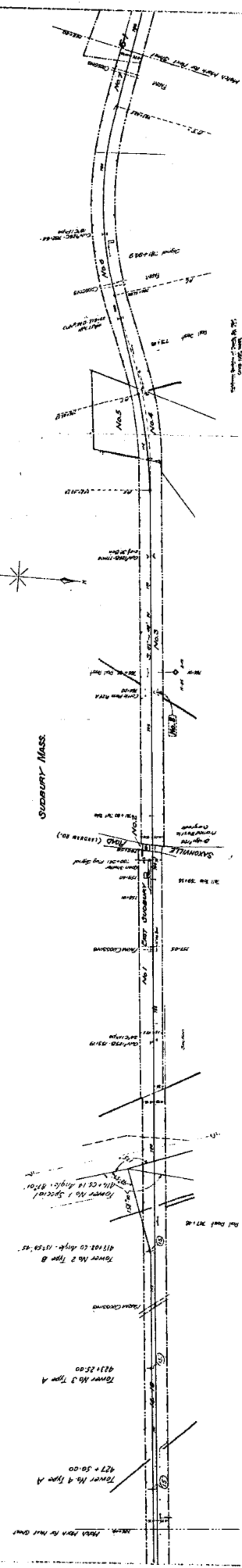
JMM/jmm  
(#15-189)

Cc: D. Silva  
L. Maggio  
File

O:\POWER DEPARTMENT ENGINEERING\MRG (Greystone)\2015 MRG\MRG #15193 Eversource Energy\15-189 MRG #15193 Eversource Energy Sudbury, Stow, Marlboro 120215.docx



Item	Quantity	Unit	Remarks
1. Clearing	100,000	Sq. Yds.	For 1000' of line
2. Gravel	100,000	Cu. Yds.	For 1000' of line
3. Cement	100,000	Sq. Yds.	For 1000' of line
4. Sand	100,000	Cu. Yds.	For 1000' of line
5. Lumber	100,000	Sq. Yds.	For 1000' of line
6. Wire	100,000	Sq. Yds.	For 1000' of line
7. Poles	100,000	Sq. Yds.	For 1000' of line
8. Foundations	100,000	Sq. Yds.	For 1000' of line
9. Towers	100,000	Sq. Yds.	For 1000' of line
10. Right of Way	100,000	Sq. Yds.	For 1000' of line



**BOSTON EDISON COMPANY**  
**PROPOSED 100KV TRANSMISSION LINE**  
**WALTHAM TO SUDBURY**  
**ALONG BOSTON & MAINE RAILROAD RIGHT OF WAY**

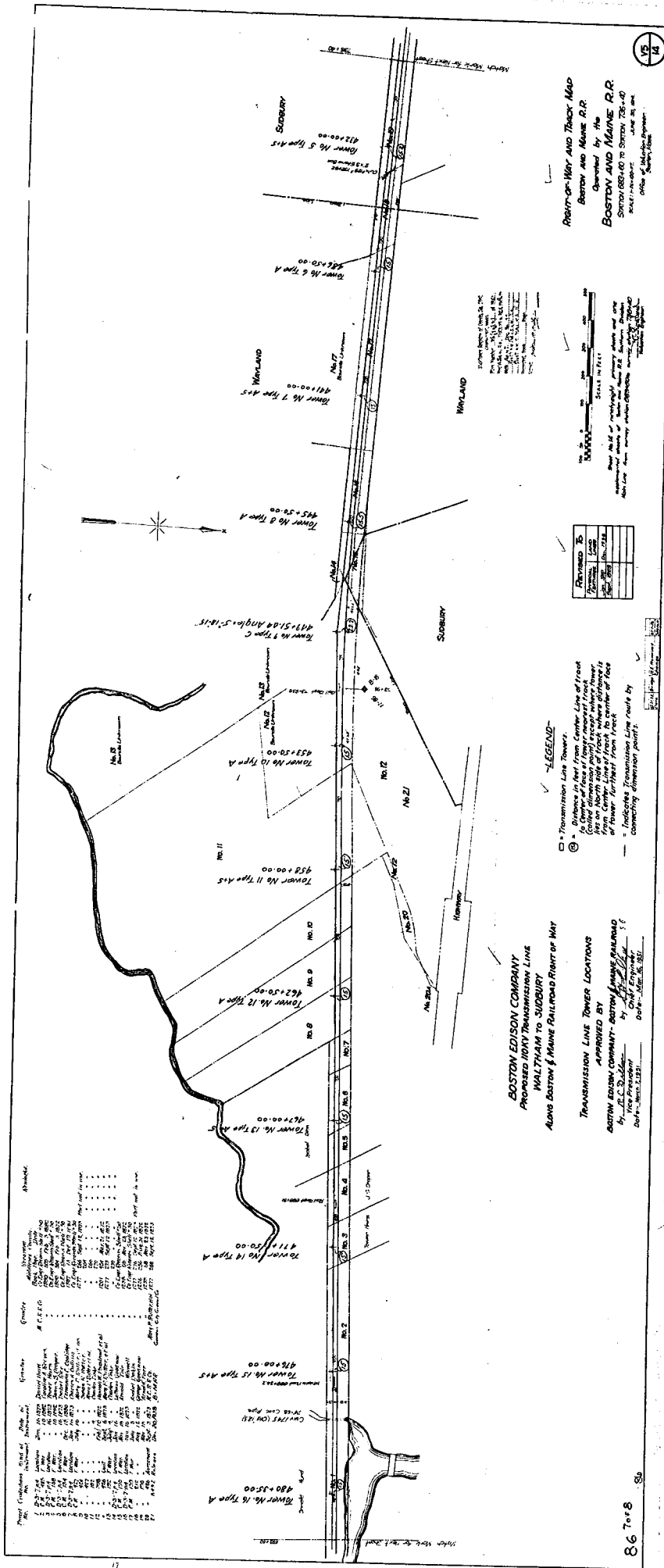
**TRANSMISSION LINE TOWER LOCATIONS**  
**APPROVED BY**  
**BOSTON EDISON COMPANY - BOSTON, MASS. RAILROAD**  
 By J. C. Sullivan, Chief Engineer  
 Date: March 1, 1911

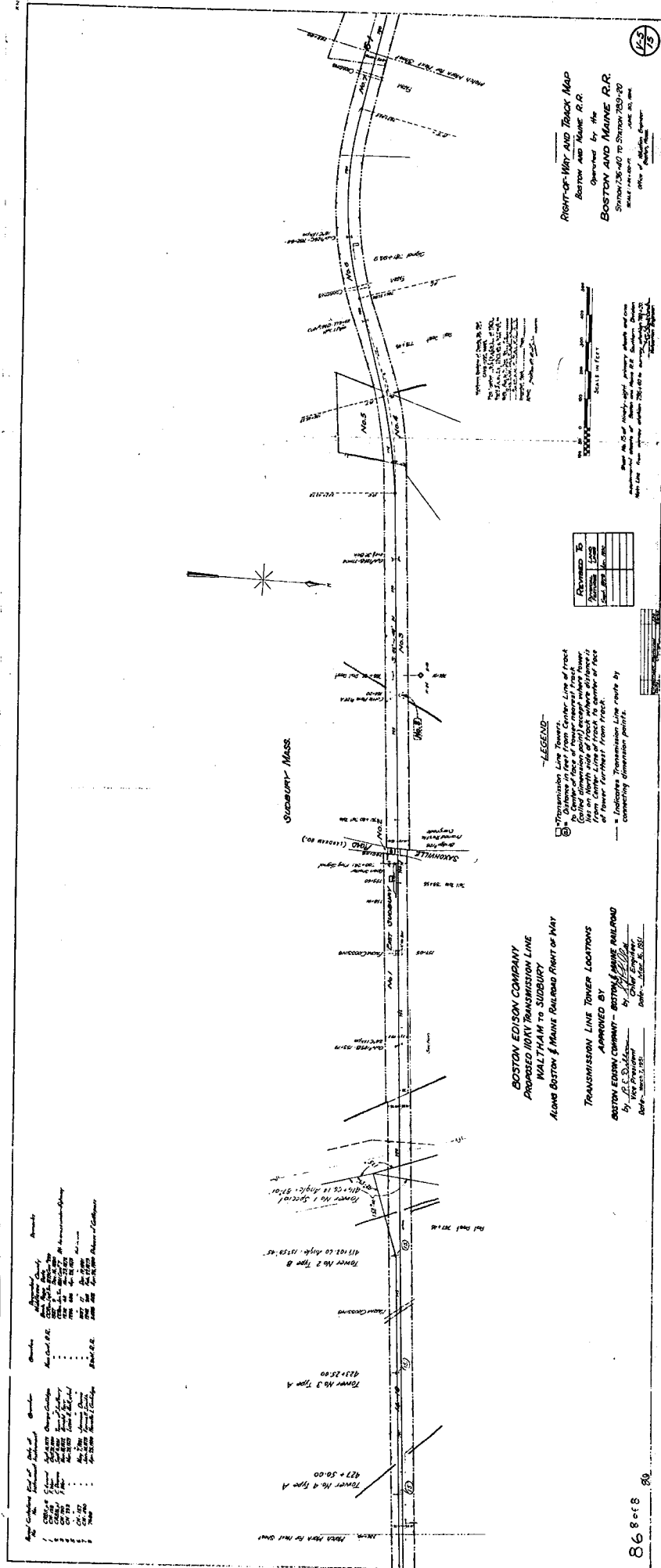
**LEGEND**

Transmission Line Towers  
 Distance in feet from Center Line of Road  
 (Center dimension point) except where shown  
 for on North side of road in section of Road  
 of Tower furthest from track

Indicates Transmission Line route by  
 connecting dimension points.

**RIGHT-OF-WAY AND TRACK MAP**  
**Boston and Maine R.R.**  
 Drawn by the  
**BOSTON AND MAINE R.R.**  
 Station 736+00 to Station 789+00  
 Scale 1 inch = 100 feet  
 Date: June 20, 1911  
 Office of the Chief Engineer





# MASSACHUSETTS REALTY GROUP

*REAL ESTATE CONSULTANTS TO THE MBTA*

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## MEMORANDUM

**TO:** William Lally, Director of Engineering and Maintenance

**FROM:** Pat Barrett

**DATE:** December 3, 2015

**RE:** MBTA-15222

---

**Please Respond by January 3, 2016**

---

Please review the attached information from Nstar Electric d/b/a Eversource to access the Central Mass Branch abandoned ROW to conduct wetland delineation, culvert assessments, etc-see application, between Sudbury substation and Waltham substation.

Please advise us as to your concerns and any special conditions that may apply. Reference to the file number on all correspondence is helpful.

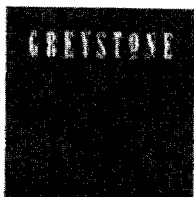
**Cc:** MBTA: MBoyle,DHelmar

**APPROVED:**

**APPROVED WITH CONDITIONS:**

\_\_\_\_\_  
**NOT APPLICABLE:**

\_\_\_\_\_  
**DENIED:**  
(Please provide an explanation)



Memo To: MBTA

C/O: Tom Cox, Project Executive

Greystone Management Solutions

From: Eversource Energy

**RE: Overview of the Deviation Provisions of the Massachusetts Bay Transportation Authority Railroad Operations Directorate dated August 2014 as follows:**

**I Guidelines And Procedures For Construction On MBTA Railroad Property**  
**Section 9.01 C2:** Permanent Subsurface Easement widths are limited to a maximum three-foot distance on either side of the occupation.

*The Eversource Energy Easement is for the entire width of the R/W*

## **II Maintenance And Protection Of Railroad Traffic**

**Section 2.10:** The Contractor's equipment shall not be placed or put into operation adjacent to tracks without first obtaining permission from the Railroad Company(s). Under no circumstances shall any equipment or materials be placed or stored within fifteen (15) feet from the centerline of the closest track.

*This is an inactive RR R/W corridor. The terms of the Eversource Energy Easement allows for the stockpiling of soil, material and equipment within the Eversource Energy Easement on MBTA property. Pursuant to discussions between Eversource Energy and the MBTA General Manager a waiver of the MBTA directorate was agreed which would allow Eversource Energy the right to construct its facilities as close to the centerline of the existing railroad as possible.*

**Section 2.11:** Materials and equipment belonging to the Contractor shall not be stored on MBTA Railroad Property without first having obtained permission from the Railroad Company(s), and such permission will be on the condition that the MBTA and/or Railroad Company(s) will not be liable for damage to such materials and equipment from any cause. The Contractor shall keep the tracks adjacent to the site clear of all refuse and

debris that may accumulate from construction operations, and shall leave the MBTA Railroad Property in the condition existing before construction commencement. Equipment repair, refueling or extended storage is prohibited on MBTA Railroad Property.

*The Eversource Energy Easement is the full width of the R/W approximately 82.5' wide and extends the length of 8.63 miles and provides for the construction of its facilities and the stockpiling of soil, equipment and materials.*

#### **IV Pipeline Occupancy Specifications:**

*(Directorate attached)*





**MASSACHUSETTS BAY  
TRANSPORTATION  
AUTHORITY**

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**RAILROAD OPERATIONS DIRECTORATE**

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**IV**

**PIPELINE OCCUPANCY SPECIFICATIONS**

## **V Specifications for Wire Conduit And Cable Occupations**

**Section 3.02 E 1:** Base diameter, height, class and bury of poles. Poles shall be set no closer than 13' 6" from face of pole to center line of nearest track. When necessary, however, each location will be analyzed by the MBTA to consider speed, traffic, access, etc.

*There was agreement between Eversource Energy and MBTA General Manager that would allow a waiver from the MBTA's directorate which would allow Eversource Energy to build as close to the centerline of the Railroad as possible.*

**Section 4.01 B:** Casing pipes to contain power or communication wires or cables having an outside diameter of over four (4) inches shall be constructed in accordance with the current issue of MBTA Railroad Operations "Pipeline Occupancy Specifications".

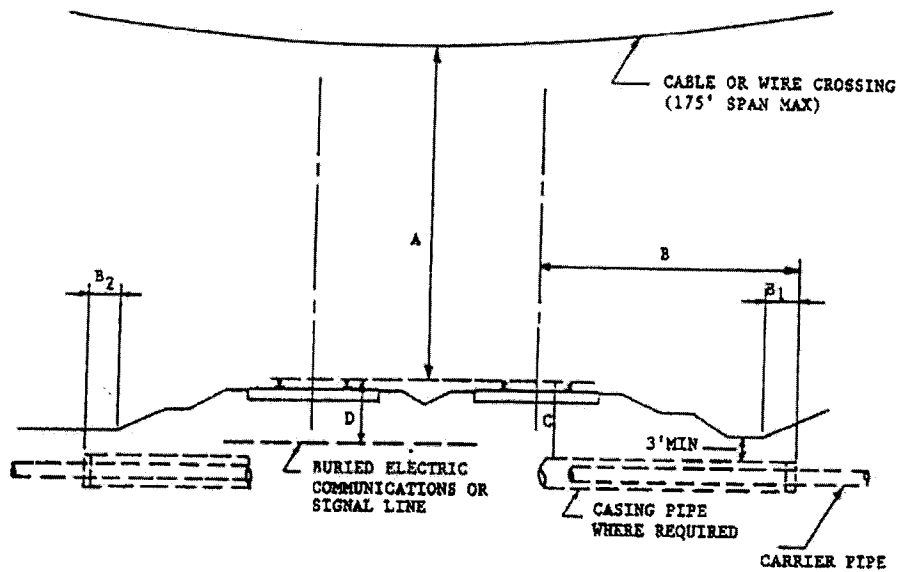
*See above*

**Section 5.01:** Wires and cables running longitudinally along railroad right-of-way shall be constructed as close to MBTA property lines as possible in accordance with Plate III. For electrical power lines and cables with voltages of 34,500 or over and communication canes containing over 180 pairs, the following information must be submitted in addition to the detail of the pole top configuration as called for on Plate IV of these specifications

*See above*

**Plates II, III, IV and VI.**

*(attached)*



DIMENSION	DESCRIPTION		
A	POWER LINES 0 TO 750V	27'-0"	} At 120°F Ambient Temperature
	POWER LINES 750V to 15,000V	28'-0"	
	POWER LINES 15 to 50KV	30'-0"	
	OTHER THAN POWER LINES	27'-0"	
B	SEALED ENDED CASINGS	25'-0"	
	OPEN ENDED CASINGS	45'-0"	
B <sub>1</sub>	END CASING BEYOND DITCH	2'-0"	
B <sub>2</sub>	END CASING BEYOND SLOPE	3'-0"	
C	CASING PIPE	4'-6"	
	CARRIER PIPE WITHOUT CASING	6'-6"	
D	BURIED ELECTRIC LINES	6'-6"	
	RAILROAD SIGNAL LINES (220V)	2'-6"	
	COMMUNICATIONS LINES	3'-6"	

# MASSACHUSETTS REALTY GROUP

REAL ESTATE CONSULTANTS TO THE MBTA

---

## MEMORANDUM

**TO:** William Lally, Director of Engineering and Maintenance  
Andrew Brennan, Director of Environmental Affairs  
Edmond Hunter, Asst. General Manager for Design and Const  
Jack Martin, Power

**FROM:** Pat Barrett

### ADDITIONAL SCOPE OF WORK

**DATE:** February 23, 2016

**RE:** MBTA-15090

Please Respond by March 23, 2016

---

Please review the attached **additional scope with changes in information** from Eversource to conduct various preconst scopes of work, - see the full scope in Project Description application on the Central Mass Branch abandoned ROW, Sudbury.

Please advise us as to your concerns and any special conditions that may apply. Reference to the file number on all correspondence is helpful.

**Cc:** MBTA: MBoyle,DHelmar,MLackner,KBelovarac, CThomas,KBiggins, JGuyder

APPROVED:

APPROVED WITH CONDITIONS:

---

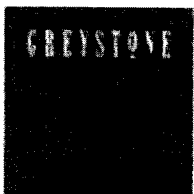
---

NOT APPLICABLE:

DENIED:  
(Please provide an explanation)

---

---



**From:** Loutzenheiser, David  
**To:** Boyle, Mark  
**Cc:** Ciccolo, Michelle  
**Subject:** FW: MCRT Wayside Trail Final/Updated Meeting Notes from 4/7/16  
**Date:** Wednesday, April 13, 2016 2:13:21 PM

---

Hi Mark,

Please see below the meeting notes from the MCRT Wayside meeting last week. We have a group email list and will be happy to include the MBTA on this. Please advise who.

Best

David

---

**From:** mcrtwaysidetrail@googlegroups.com [mailto:mcrtwaysidetrail@googlegroups.com] **On Behalf Of** Loutzenheiser, David  
**Sent:** Wednesday, April 13, 2016 2:10 PM  
**To:** MCRTwaysidetrail@googlegroups.com  
**Subject:** MCRT Wayside Trail Final/Updated Meeting Notes from 4/7/16

Revised meeting notes follow. Please feel free to share as appropriate.

Massachusetts Central Rail Trail: Wayside Meeting  
Wayland Senior Center - 41 Cochituate Road (Town Hall Complex)  
April 7, 2016, 9:30 – 11:30 am

**Attending:** David Loutzenheiser (MAPC), Dick Williamson (MCRT Coalition), Laurel Carpenter (WLT, Western Greenway), Len Simon (Sudbury Board of Selectmen), Molly Henry (ECGA), Paul Jahnige (DCR), Sarkis Sarkisian (Town of Wayland), Pete Sutton (MassDOT), Richard Fries (MassBike), Sonya Wadman (Waltham Land Trust), Bill Fowler (Waltham City Council), Jack Hunter (Town of Hudson), Pat Brown (Sudbury Board of Selectmen), Jesse Steadman (Town of Stow), Sherre Greenbaum (Wayland Conservation Commission), Casey Claude (CTPS), Renata Aylward (Sudbury citizen), Melissa Gough (Sudbury citizen), Mara Huston (Sudbury Park and Rec), Joel Angiolillo (Weston Open Spaces), Michele Grzenda (Weston Conservation Agent), Dan Driscoll (DCR), Michelle Ciccolo (Consultant, Sudbury), Walter Bickford (Berlin), Dan Leblanc (Berlin), Larry Kiernan (Wayland), Jim Gish (Sudbury), Jeffrey Wheeler (Belmont), William Petri (Wayland), Kevin Viveiros (Pare Corp), Tracie Lenhardt (VHB), Trish Settles (CMRPC)

**AGENDA**

*The goals of this meeting are to collaborate with each other, keep momentum going toward implementation, and focus in on defined strategies for funding and implementation (which may or may not be uniform across the corridor).*

**DCR Update – Paul Jahnige and Dan Driscoll**

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- MEPA complete for entire corridor. As communities begin pursuing projects, the next permitting step will be approaching the Conservation Commissions.
- Eversource currently going through permitting process for first section in Wayland and Weston (~5 miles)
- DCR requires an ADA accessible surface, with a strong preference for asphalt over other surfaces
- Sudbury not supportive on Eversource proposal. If Governor supports the proposal it could move forward regardless of public support.
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Updates from each town on their status of planning and implementation. Towns should provide target dates of next steps where possible.

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No representatives present

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Metropolitan Area Planning Council

60 Temple Place, Boston MA 02111

617-933-0743

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**From:** Pat FitzGibbon  
**To:** [DLoutzenheiser@mapc.org](mailto:DLoutzenheiser@mapc.org)  
**Cc:** Pat FitzGibbon; Tom Cox; Boyle, Mark  
**Subject:** FW: MCRT Wayside Trail Final/Updated Meeting Notes from 4/7/16  
**Date:** Thursday, April 14, 2016 10:39:45 AM  
**Attachments:** [image001.jpg](#)  
[image002.jpg](#)

---

Hi David,

Could you include me on the distribution list for bike paths; thanks.

Pat

Patricia FitzGibbon  
Account Manager  
Massachusetts Realty Group  
20 Park Plaza  
Boston, MA 02116  
(617) 316-1665 (Office)  
(617) 835-3312 (Cell)  
[Pat.FitzGibbon@greyco.com](mailto:Pat.FitzGibbon@greyco.com)  
[www.mbtarealty.com](http://www.mbtarealty.com)

**From:** "Loutzenheiser, David" <[DLoutzenheiser@mapc.org](mailto:DLoutzenheiser@mapc.org)>  
**Date:** April 13, 2016 at 2:13:15 PM EDT  
**To:** "Boyle, Mark" <[MBoyle@MBTA.com](mailto:MBoyle@MBTA.com)>  
**Cc:** "Ciccolo, Michelle" <[mciccolo@ciccologroup.com](mailto:mciccolo@ciccologroup.com)>  
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**From:** Boyle, Mark  
**To:** "Thomas Cox"  
**Subject:** FW: \*Confidential: Real Estate - Eversource Sudbury - Hudson and Woburn to Wakefield projects  
**Date:** Monday, May 02, 2016 5:12:38 PM

---

---

**From:** James.Hunt@eversource.com [mailto:James.Hunt@eversource.com]  
**Sent:** Monday, May 02, 2016 5:12 PM  
**To:** Boyle, Mark  
**Subject:** \*Confidential: Real Estate - Eversource Sudbury - Hudson and Woburn to Wakefield projects

Confidential - Real Estate

Mark-

Thanks for your time and assistance on this. Below is some background that staff pulled together on Sudbury - Hudson and Woburn to Wakefield projects needs with the MBTA. I thought I'd pass along as it may be helpful for writing up justifications for approval. Let me know if you need additional info.

Thanks again,

Jim

---

Re: MBTA Railroad Operations Directorate (1994) - Request for waiver or exemption for two energy reliability projects

ES requests that the MBTA waive or exempt certain requirements of a 20+ year old Railroad Operations Directive in connection with two (2) of our proposed Greater Boston reliability projects along MBTA's inactive right-of-ways (ROWs) in Sudbury, Hudson, and Stow and in Wakefield (the Sudbury - Hudson and Woburn - Wakefield transmission lines, respectively).

Co-locating these reliability transmission lines on MBTA's unused ROWs, which are also the locations of proposed rail trails under 99-year leases, is compatible with MassDOT's alternative transportation project priorities (e.g., Mass Central Rail Trail), and would advance the GreenDOT goals and directives -- such as help reduce greenhouse gas (GHG) emissions, promote the healthy transportation options of walking/bicycling, and support smart growth development.

Status of Dialogue with MBTA on the Sudbury - Hudson Project:

- Eversource and MBTA have negotiated \$8.2 Million for a 7.6-mile easement, overhead and underground, on the MBTA inactive railroad corridor spanning through the Towns of Sudbury, Stow, and Hudson
- MBTA staff are indicating a strict application of the 1994 Railroad Operations Directorate as to where Eversource can locate its proposed transmission line within the MBTA ROW. Specifically,
  - Overhead poles must be 13.6 feet from center of track; requires double cross arms on structures (Section 3.02 E1)
  - Underground line should be within 3 feet of ROW edge; " Wires and cables running longitudinally along railroad right of way shall be constructed as close to MBTA property lines as possible in accordance with plate III." ( Section 5.01)
  - Directorate is applying gas pipeline occupancy standards to electrical infrastructure (Section 4.01B)

Similar restrictions are being applied to the proposed Woburn-Wakefield underground line along the MBTA

ROW in Wakefield, which is subject to an existing National Grid easement and is the location of the proposed Wakefield-Lynnfield Rail Trail.

Strict application of the 1994 MBTA Railroad Operations Directorate could preclude use of MBTA's ROWs due to certain siting challenges:

- Design Constraints: Narrow width of the ROWs. For example, the MBTA ROW in Sudbury, Hudson and Stow is generally 82.5 feet wide, narrowing to 60 feet at three pinch points.
- Existing Tree Canopy: Minimizing as much as possible the extent of tree clearing necessary to accommodate the lines. For example, requiring that underground lines be installed at the edge of the ROW or that overhead lines be installed at least 13.6 feet out from the center of the trail could require significant tree clearing.
- Environmental Impact: Responsibility to design the line to minimize environmental impacts (e.g., underground line along proposed bike trail rather than at edge of ROW). Co-locating transmission lines with the development of rail trails could reduce the environmental footprint impacts of the combined projects.

The Greater Boston Reliability Projects serve an essential public need:

- They were selected by ISO-NE in 2015 as a means of addressing immediate electric reliability needs in the Greater Boston and Metro West region;
- They comprise a critical, multi-town reliability solution to improve the regions power system and quality;
- They supports the region's economic growth, health and demand for electricity for years to come; and
- They enable access to lower cost, cleaner power sources by substantially increasing the power import capacity.

Public Policy and Benefit Considerations for Directorate Flexibility:

- The Mass Central Rail Trail Project is a MassDOT and DCR priority project (Bay State Greenway 100) designed to contribute to the overall future vision of an extensive multi-use pathway traversing the state from west to east, specifically connecting Northampton (where the current Norwottuck Rail Trail is heavily used) to Boston. In 2010, The MBTA executed a 99-year lease with the DCR for 23 miles of inactive railroad corridor from Berlin to Waltham for developing a multi-use rail trail in partnership with local communities. As of today the trail way is not constructed.
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James W. Hunt, Vice President

Regulatory Affairs & Community Relations  
Eversource Energy  
800 Boylston Street, P1702  
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**From:** Boyle, Mark  
**To:** "Thomas Cox"  
**Subject:** FW: \*Confidential: Real Estate - Eversource Sudbury - Hudson and Woburn to Wakefield projects  
**Date:** Monday, May 02, 2016 5:12:38 PM

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**From:** James.Hunt@eversource.com [mailto:James.Hunt@eversource.com]  
**Sent:** Monday, May 02, 2016 5:12 PM  
**To:** Boyle, Mark  
**Subject:** \*Confidential: Real Estate - Eversource Sudbury - Hudson and Woburn to Wakefield projects

Confidential - Real Estate

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**From:** [Boyle, Mark](#)  
**To:** [Hurtubise, Adam \(DOT\)](#)  
**Subject:** RE: Sudbury  
**Date:** Tuesday, May 10, 2016 5:01:05 PM

---

Adam:

It's a long story and complicated but the gist of it is that Eversource would like to sign an Option Agreement with us that would allow them to install a major power line on our former Central Mass branch right of way. That ROW is under lease with DCR but we reserved the right to grant licenses, leases and easements to utility companies, and we keep the revenue. If Eversource is successful in being awarded the new power line by DPU, that Option would be converted to a permanent easement (for \$8million!). So we strongly support the project.

As with most projects, there are issues. The Town of Sudbury wants them to install the power line underground, rather than overhead which Eversource prefers. Given our Railroad Operations requirements, the overhead poles need to be far enough away from the possible future tracks (doubtful if we'd ever reintroduce rail service, but you never know). As a result, it would require clear cutting the existing mature trees on the sides of the ROW, ths the opposition from the locals.

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More to follow.....

Thanks.

Mark

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**From:** Hurtubise, Adam (DOT) [<mailto:Adam.Hurtubise@dot.state.ma.us>]  
**Sent:** Tuesday, May 10, 2016 2:48 PM  
**To:** Boyle, Mark  
**Subject:** Sudbury

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Thanks,  
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C: (617) 448-4916  
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**To:** Boyle, Mark  
**Subject:** Re: \*Confidential: Real Estate - Eversource Sudbury - Hudson and Woburn to Wakefield projects  
**Date:** Monday, May 23, 2016 5:33:30 PM

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Date: May 2, 2016 at 5:12:36 PM EDT  
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James W. Hunt, Vice President

Regulatory Affairs & Community Relations

Eversource Energy

800 Boylston Street, P1702

Boston, MA 02199

[james.hunt@eversource.com](mailto:james.hunt@eversource.com) - <mailto:james.hunt@eversource.com>

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**Cc:** "Melissa McCormack"  
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**Date:** Wednesday, May 25, 2016 8:53:57 AM

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Confidential - Real Estate

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**From:** [Boyle, Mark](#)  
**To:** [Thomas Cox](#); [Michael Swedick](#)  
**Subject:** FW: Final Revised List of Issues for Meeting Tomorrow @1PM  
**Date:** Tuesday, May 31, 2016 1:24:35 PM  
**Importance:** High

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**From:** Polemenakos, Georgia (DCR) [<mailto:Georgia.Polemenakos@MassMail.State.MA.US>]  
**Sent:** Tuesday, May 31, 2016 12:06 PM  
**To:** Boyle, Mark  
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Nonresponsive



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Issue: DCR planning does not favor the above ground transmission line option as it will materially impact the MCRT.

We understand MBTA financial needs, but would like MBTA to consider only

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[REDACTED]

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[REDACTED]

[REDACTED]

# **Petersen LaChance Regan Pino, LLC**

Real Estate Services

## **Real Estate Appraisal of Proposed Utility Corridor Easement on a portion of the Central Massachusetts Branch, Sudbury to Hudson, Massachusetts**

Prepared for:

Ms. Melissa McCormack  
Senior Account Manager  
Massachusetts Realty Group/Greystone Management Solutions  
20 Park Plaza, Suite 1120  
Boston, MA 02116

Date of Valuation:

July 17, 2016

Date of Report:

July 20, 2016

Prepared by:

Richard K. Pino, MAI, R/W-AC

**Petersen LaChance Regan Pino, LLC**

# Petersen LaChance Regan Pino, LLC

Real Estate Services

John G. Petersen, MAI, SRA  
William A. LaChance, MAI, SRA  
John A. Regan, MAI  
Richard K. Pino, MAI, R/W-AC

July 20, 2016

Ms. Melissa McCormack  
Senior Account Manager  
Massachusetts Realty Group/Greystone Management Solutions  
20 Park Plaza, Suite 1120  
Boston, MA 02116

Dear Ms. McCormack:

The purpose of the appraisal is to provide an opinion of the market value of a proposed permanent easement to be located on a portion of an abandoned railroad line. The easement is to be located on portions of the corridor that are to be used as a public recreational and alternative transportation corridor under an existing long term license agreement. The easement is commonly known as the Proposed Eversource Easement, Central Massachusetts Branch, Sudbury to Hudson, Massachusetts. The Massachusetts Bay Transportation Authority owns the property.

Our intention has been to prepare this appraisal in accordance with the Uniform Standards of Professional Practice (USPAP) and in accordance with the Federal Transit Administration appraisal requirements of Uniform Act 49 CFR 24.103. The appraisal is also intended to conform to the code of ethics and standards of professional practice as established by the Appraisal Institute and the International Right of Way Association.

I have inspected the property, collected and analyzed relevant data and applied appropriate valuation methods. As a result of the analysis, it is my opinion that the market value of the property as of July 17, 2016 is:

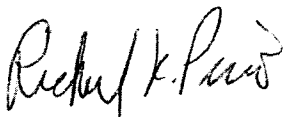
FIVE MILLION EIGHT HUNDRED TEN THOUSAND DOLLARS  
(\$5,810,000)

The value estimate represents cash equivalent value and is subject to the assumptions, limiting conditions and certifications, as well as any extraordinary assumptions and hypothetical conditions outlined in the appraisal report.

This letter does not constitute an appraisal or an appraisal report. The letter, accompanied by the following report, discussing the methodology and conclusions utilized to arrive at the value opinion, constitutes the appraisal report as defined by USPAP.

Sincerely,

Petersen LaChance Regan Pino, LLC



Richard K. Pino, MAI, R/W-AC  
MA Certified General R. E. Appraiser # 64

## HIGHEST AND BEST USE

The definition of highest and best use as it is used in this report is:

"The reasonably probable and legal use of vacant land or an improved property, which is physically possible, appropriately supported, financially feasible, and that results in the highest value. The four criteria the highest and best use must meet are legal permissibility, physical possibility, financial feasibility, and maximum productivity."<sup>5</sup>

The property is an abandoned railroad right of way and contains all the physical attributes of a corridor. The property is long and rectangular and connects a utility substation in Sudbury to Hudson's municipal light station.

The legal permissible uses on this corridor are defined because of the existing license agreement, which use is limited to an alternative transportation use. The property owner did reserve the rights to aerial, surface and subsurface "utility and communications lines, wires, antennas and conduits". The proposed easement is for a subsurface utility line.

Development of the property is financially feasible based on the demands within the market place as evidenced by this pending market transaction. Of the financially feasible uses, the use that produces the highest price or value consistent with a market rate of return for that use is the highest and best use. Based on the financial feasibility analysis, the highest and best use of the property is as an alternative transportation and utility corridor.

---

<sup>5</sup>The Dictionary of Real Estate, Fourth Edition, (Chicago: Appraisal Institute, 2002), page 135.

## THE PORTION TO BE ACQUIRED

The easement is to be used for the underground transmissions of electricity. According to representatives for the Client and Eversource Energy, a formal easement agreement has not been finalized. The following is a summary of the approximate rights to be acquired by Eversource Energy. This description was provided by the client as an example of the description of the easement.

"...perpetual, exclusive commercial easements in gross (1) to erect, install, construct, reconstruct, replace, repair, maintain, use, operate, inspect and patrol one or more underground lines for transmission of high and low voltage electric current, including ground wires and lines for communication, signal and control purposes, over, across and under a strip of land \_\_\_\_\_ feet in width hereinafter described (the "Easement Area"), which lines may consist of (a) conduits, pipes or ducts and manholes, with wires, cable and ground wires installed within the same, or of wires, cables and ground wires buried in the ground, or of combinations of all or any of the same, together with, (b) all necessary foundations, supporting structures, hardware, fittings, equipment and appurtenances and (c) such culverts and ways of access as may be reasonably necessary for the convenient construction, operation, maintenance, inspection and patrolling of said underground lines (the "Facilities"); (2) to construct such Facilities, or any of them, at any time hereafter and at the same or different times and to renew, add to, replace, remove and other wise change the Facilities and each and every part thereof and the location thereof within said Easement Area; (3) to clear and keep clear by physical or other means said Easement Area or any part thereof of trees underbrush, buildings or other structures; and (4) to enter upon and pass along said Easement Area and across adjoining lands of Grantor, on foot and by vehicle, for all of the above purposes, utilizing for such purposes any service roads or parking areas on such adjoining land of Grantor from time to time, The greatest extent possible, and grade the easement Area, as reasonably required."

None of the obligations with regard to fee ownership of the land are the responsibility of the easement holder.

According to the documents provided, the boundaries of the proposed acquisition are over the entire area of the subject property. Based on the available information, the physical characteristics of the proposed acquisition are those described as the subject. Access to the easement will be from public streets or lands under control of the easement holder and the Grantor.

The existing improvements are the remnants of the former railroad use. The easement holder will reportedly restore the easement area to a condition comparable to that prior to the acquisition. No site or building improvements, therefore, will be permanently affected.



## EFFECT OF ACQUISITION ON THE REMAINDER PROPERTY

The acquisition is to be a permanent easement for an underground utility transmission line. The easement area is located in an existing right of way which is to be developed and used as a public recreational and alternative transportation corridor under an existing long term license agreement. Therefore, some of the fee simple rights are already held by other parties. The appraiser has summarized the easement's impact on the fee rights of the property in the following exhibit.

### EASEMENT IMPACT ON AREA LOCATED IN OTHER EASEMENTS

Bundle of Rights	% of Fee	Rights Allocation		% of Fee		Rights Allocation		% of Fee	
		Rail - Trail Easement	Property Owner	Rail - Trail Easement	Property Owner	Elec. Trans. Easement	Property Owner	Elec. Trans. Easement	Property Owner
Air Rights	50%	50%	50%	25.0%	25.0%	10%	90%	2.5%	22.5%
Surface Rights	25%	25%	75%	6.3%	18.8%	50%	50%	9.4%	9.4%
Subsurface Rights	25%	10%	90%	2.5%	22.5%	90%	10%	20.3%	2.3%
Total Rights	100%			33.8%	66.3%			32.1%	34.1%
						% of Remaining Fee		48.5%	51.5%

The easement is not fully incompatible with the owner's rights, therefore, does not equate to a full acquisition of the remaining fee rights. The rights are generally shared between the property owner and the easement holder, with the easement holder acquiring a greater share of the useable rights in the corridor area.

Based on the analysis, the property owner's remaining rights in the corridor are reasoned to be 66.3% of the fee simple rights and the easement acquisition will acquire 48.5% of these remaining rights. This results in the owner losing 32.1% of their remaining fee rights in the corridor during the remaining term of the license agreement.

In summary the easement does take away some of the owner's remaining fee simple rights to utilize the area within the easement. The use of the easement by the easement holder also takes away the property owner's ability to fully utilize the area within the easement.

## VALUATION OF THE EASEMENT

### PERMANENT EASEMENT VALUATION

The ATF valuation technique is based on the concept that the value of the right of way is equal to the market value of adjoining lands. The ATF unit of comparison value opinion is developed for the various segments of the corridor base on legal use and the physical characteristic of the abutting land. The market value of the property's land is determined by using comparable market transactions. The market transactions are analyzed and categorized as follows, industrial, commercial, residential acreage, single family lots and open space. The most comparable transactions were compared on a square foot of land area basis.

The sales comparison approach has been used to develop a value for the fee simple land per square foot of land area. The sales comparison approach is the process of analyzing market data pertaining to similar properties which have sold, are listed for sale, and/or are under contract and comparing them to the subject property. The value indication is derived by applying appropriate units of comparison and making adjustments based on the elements of comparison to the sales prices of the comparables.

The appraiser has researched the market area for comparable sales, listings and offers to purchase or sell properties similar to the subject. A number of comparative properties were located and analyzed. The most comparable of these properties are presented on the following pages.

The properties were compared to the subject utilizing elements of comparison. These elements of comparison included real property rights conveyed, financing terms, conditions of sale, use, non-realty components of value, market conditions and location. Physical and economic property characteristics were also compared.

Based on the sources of confirmation, the comparable transactions had typical financing conditions and conditions of sale. The majority of the difference in the pricing of the properties is explained by differences in use, market conditions, and location. Only the elements of comparison that differed from the subject and the comparable sales were discussed.

### Commercial and Industrial Land

The unit of comparison used for comparative analysis is the sale price per square foot of land area. The unadjusted, comparable sales prices range from \$2.20 to \$7.72, with an average of \$4.50 per square foot of land area.

### Conditions of Sale

All transactions were arms-length transactions, with exception to Sale 2, which involved a purchase of a parcel of land by an abutter. Abutter transactions can reflect market value transactions if both parties are equally motivated. The buyer was reportedly more motivated than the seller. The selling price is within the market value range of similar area transactions, therefore, no adjustment was made.

### Use

Adjustments for differences in use reflect differences in a property's zoning, highest and best use or the purchaser's intended use. Most of the transactions were located in different zoning districts, however, one of the sales was purchased for different use. Sale 1, however, were purchased for commercial development. Sale 1 was purchased for a 55+ residential apartment community. This transaction's pricing sets the upper end of the indicated value range. This transaction abuts the subject property. There was not enough market data to extract adjustment for this difference.

The segment values are calculated as follows.

	Distance (Miles)	Distance (Feet)	Width (feet) 82.5	Sq. Ft.	Unit of Comparison \$ Sq. Ft.	Total	Comments
<b>Sudbury</b>	4.375						
Begin - Boston Post Rd.	1.250	6,600					
	0.188	990	82.5	81,675	\$ 0.50	\$ 40,838	Wet
	0.125	660	41.25	27,225	\$ 0.50	\$ 13,613	Wet
Boston Post Rd	0.188	990	41.25	40,838	\$ 7.75	\$ 316,491	189 BRP
	0.094	495	41.25	20,419	\$ 9.25	\$ 188,873	Sud Lot @ \$ 375,000
Landham Rd.	0.125	660	82.5	54,450	\$ 9.25	\$ 503,663	Sud Lot @ \$ 375,000
Boston Post Rd	0.438	2,310	41.25	95,288	\$ 1.60	\$ 152,460	192 BRP
	0.438	2,310	41.25	95,288	\$ 0.50	\$ 47,644	Wet
	0.125	660	82.5	54,450	\$ 0.50	\$ 27,225	Wet
	0.250	1,320	82.5	108,900	\$ 9.25	\$ 1,007,325	Sud Lot @ \$ 375,000
Station Road	0.250	1,320	82.5	108,900	\$ 3.50	\$ 381,150	Com/Ind
West of CSX ROW	0.625	3,300	82.5	272,250	\$ 3.50	\$ 952,875	Com/Ind
Horse Pond Road	0.500	2,640	82.5	217,800	\$ 9.25	\$ 2,014,650	Sud Lot @ \$ 375,000
West of Dudley Brook to Hudson	1.750						
Dudley - Hop Brook (North)	0.721	3,808	41.25	157,088	\$ 9.25	\$ 1,453,066	Sud Lot @ \$ 375,000
Hop Brook - OSD (North)	0.719	3,795	41.25	156,544	\$ 0.50	\$ 78,272	Wet
OSD 1 (North)	0.310	1,637	41.25	67,518	\$ 0.50	\$ 33,759	OS
West of Dudley Brook to Hudson	1.750						
RES C-1 (South)	0.563	2,970	41.25	122,513	\$ 6.25	\$ 765,703	Sud Lot @ \$ 375,000
RES WI (South)	0.188	990	41.25	40,838	\$ 2.00	\$ 81,675	Sud Lot @
RES C-1 (South)	0.250	1,320	41.25	54,450	\$ 6.25	\$ 340,313	Sud Lot @ \$ 375,000
RES WI (South)	0.750	3,960	41.25	163,350	\$ 0.50	\$ 81,675	Wet
<b>Stow</b>	0.063	330	82.5	27,225	\$ 0.75	\$ 20,419	Stow residential acreage
<b>Hudson</b>	4.188	22,110					
Sudbury - Parmenter Road	1.156						
SA-8 (VI)	0.063	330	82.5	27,225	\$ 3.00	\$ 81,675	Hud Lot @ \$ 120,000
MA and USA	1.094	5,775	82.5	476,438	\$ 0.50	\$ 238,219	Wet
Parmenter Rd. - Marlboro Rd.	1.500	7,920	82.5	653,400	\$ 2.00	\$ 1,306,800	Com/Ind
Marlboro Rd. - Route 62	0.500						
Orchard Dr.	0.219	1,155	41.25	47,644	\$ 3.00	\$ 142,931	Hud Lot @ \$ 120,000
Orchard Dr.	0.219	1,155	41.25	47,644	\$ 0.40	\$ 19,058	Hudson residential acreage
Remainder	0.281	1,485	82.5	122,513	\$ 0.40	\$ 49,005	Hudson residential acreage
Wilkins St. (RT 62) - Cox St.	0.344	1,815	82.5	149,738	\$ 4.00	\$ 598,950	Hud Lot @ \$ 120,000
Cox St. - Priest St.	0.375	1,980	82.5	163,350	\$ 3.50	\$ 571,725	Com/Ind
Priest St. - End	0.313	1,650	82.5	136,125	\$ 4.00	\$ 544,500	Hud Lot @ \$ 120,000
	8.63			3,791,081	\$ 3.18	\$ 12,054,549	

### Corridor Factor

The next step in is to adjust the ATF by a corridor factor (CF). Corridor factors can be developed for the market by dividing the sale price of a corridor by the estimated ATF value. This was impossible in this market area due the limited sale transactions of similar corridors. Other sources of corridor factors is published information. Articles that have appeared in professional publications such as the Appraisal Journal, published by the Appraisal Institute and the Right of Way Magazine, published by the International Right of Way Association indicate corridor factor ranges of .90 to approximately 3. Historical national sales of corridors provide by other appraiser also indicated a corridor factor range of 1 to 3 with averages of approximately 1.5. Based on the published articles and the secondary sales information the corridor factor is estimated to be 1.5.

**CONCLUSION**

The market value of the easement is calculated in the following exhibit:

	\$ 12,054,549	ATF Value
X	<u>1.5</u>	Corridor Factor
	\$ 18,081,824	Land Value of Corridor
	\$ 4.77	Per Sq. Ft. Land Value
X	<u>32%</u>	% Rights Acquired
	\$ 1.53	Indicated Market Value
X	<u>3,791,081</u>	Land Area of Corridor
	\$ 5,808,786	Indicated Market Value
	\$ 5,810,000	Rounded

Based on the data and analysis, it is the appraiser's opinion that the market value of the permanent easement on the property commonly known as the Proposed Eversource Easement, Central Massachusetts Branch, Sudbury to Hudson, Massachusetts, as of July 17, 2016 is:

FIVE MILLION EIGHT HUNDRED TEN THOUSAND DOLLARS  
(\$5,810,000)

**REASONABLE EXPOSURE TIME**

The Uniform Standards of Professional Practice (USPAP) require that exposure time be stated and defined in the reporting of real property appraisals. Exposure time is defined as:

"The estimated length of time that the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal."<sup>6</sup>

Given the property's location, the continued demand for similar property and statistical information regarding the historical marketing times of area real estate, the exposure time estimated for the subject property is within one year.

<sup>6</sup> Appraisal Foundation, Uniform Standards of Professional Appraisal Practice, (2014-2015 Edition), Page U-2.

## QUALIFICATIONS OF RICHARD K. PINO, MAI, R/W-AC

Richard Kimball Pino, MAI, R/W-AC is a partner at Petersen LaChance Regan Pino, LLC. Petersen LaChance Regan Pino, LLC (PLRP, LLC), is a Boston-based full service real estate firm. Mr. Pino contributes to all of the firm's areas of service; however, his primary focus is in appraisal, consulting and real estate education.

Mr. Pino has been involved in real estate for over thirty years, providing a variety of services to corporate, private and public clients. From 1984 to the creation of PLRP, LLC in 2011, Mr. Pino has associated with some of Boston's premier full service real estate firms. The following is a summary of his non-independent contractor real estate employment history.

<b>Firm</b>	<b>Term</b>	<b>Title</b>
Petersen LaChance Regen Pino, LLC	Since 2011	Managing Partner
Hopson – Pino, Inc.	2000 – 2010	CEO (Chief Executive of Operations)
Connolly – Pino, Inc.	1994 – 2000	President
Spaulding & Slye	1993 – 1994	Vice President, Advisory Services Division
Whittier Partners	1988 – 1993	Vice President, Appraisal & Consulting Department
The Niles Appraisal & Consulting Company	1986 – 1988	Staff Appraiser
R. M. Bradley & Company	1984 – 1986	Real Estate Appraiser

Prior to 1984, Mr. Pino was involved with the development, construction, sales, leasing, management and appraisal of residential and commercial real estate as an independent contractor and in his family's businesses.

### APPRAISAL SERVICES

Richard K. Pino, MAI, R/W-AC has been engaged in over 800 valuation assignments, involving over 27 million square feet of commercial / industrial space, 6,000 residential units, 15,000 acres of land, 800 takings and 50 miles of corridor and right of ways. Assignments have included residential, commercial, industrial, mixed-use, vacant land and special use properties. Some of the significant eminent domain assignments that Mr. Pino has been involved with is summarized on the pages following these qualifications.

Mr. Pino has completed assignments for the following purposes: property acquisition and sale, portfolio valuation, bankruptcy, condemnation, partnership and matrimonial dissolution, financing, estate planning, ad valorem and estate taxation, appraisal review and expert opinion. He has qualified and presented testimony as a real estate appraiser at the Appellate Tax Board and in Land and Superior Courts.

### BROKERAGE SERVICES

The area of real estate brokerage that Mr. Pino focus' on is as a client advocate in leasing, acquisition and sale. Mr. Pino has represented buyers, sellers, tenants and property owners.

### CONSULTING SERVICES

Consulting services are a comprehensive approach to real estate issues, encompassing all the real estate disciplines. Mr. Pino's multi-disciplined background provides him with a diversity of insight into today's real estate issues. He has provided sound real estate financial and document specific advice including recommendations concerning environmental issues, legal concerns, local and state considerations, tax implications, as well as property specific matters. Assignments Mr. Pino has been involved in are:

Corporate Real Estate Counseling  
Lease Versus Purchase Analysis  
Investment Analysis  
Portfolio / Asset Management  
Value Enhancement & Protection Strategies  
Acquisition and Disposition Strategies

Development and Re-development Studies  
Leasing, Financing, and Operational Strategies  
Highest and Best Use Analysis  
Economic Feasibility Studies  
Marketability and Absorption Studies  
Site Search and Assembly

## **QUALIFICATIONS OF RICHARD K. PINO, MAI, R/W-AC (Continued)**

### **EDUCATION SERVICES**

Mr. Pino has provided instruction on a number of appraisal and valuation topics for various professional organizations. These include, but are not limited to, the Massachusetts Chapter of the Appraisal Institute, Massachusetts Association of Assessing Officers, Northeast Region Utility PTAX Group, and the International Right of Way Association. Topics have included property valuation, partial acquisition valuation, easement valuation, corridor valuation, the valuation of properties impacted by environmental contamination and eminent domain valuation in the New England states.

Mr. Pino is an International Right of Way Association (IRWA) approved and certified education facilitator for various appraisal courses. These courses include, The Appraisal of Partial Acquisitions and Easement Valuation. Mr. Pino, as a valuation subject matter expert for the IRWA, is currently involved with developing an educational training program product for one of the nation's largest multi-service right of way firms.

### **PROFESSIONAL LICENSES AND CERTIFICATIONS**

Certified General Real Estate Appraiser

Commonwealth of Massachusetts - #64

### **PROFESSIONAL AFFILIATIONS**

Richard K. Pino, MAI, R/W-AC holds memberships with the real estate industry's prominent professional organizations. These include the Appraisal Institute (AI) and the International Right of Way Association.

Richard K. Pino is a designated MAI Member of the Appraisal Institute and has been associated with the organization since 1984. AI is a 22,000 member organization of real estate valuation professionals. Although not currently active in the organization's leadership, Mr. Pino has served on various committees of the local chapter of AI (Massachusetts), these include the Newsletter and Candidates Committees.

The International Right of Way Association is a 10,000 member organization of right of way professionals. Richard K. Pino has been a member of the organization since 1988 and holds IRWA's Right of Way – Appraisal Certification (R/W-AC). Mr. Pino is continuing to pursue their SR/WA designation, which is their multi-discipline professional designation. Mr. Pino served as a regional officer for Region 4, region of 900 members and was a member of the organization's International Governing Council. Mr. Pino continues to serve the organization as Chair of their International Valuation Community of Practice (Valuation CoP). Mr. Pino has also served as a chapter officer for IRWA's New England Chapter 16 and is currently serving as Education Chair and Chair of the Valuation CoP.

### **APPOINTMENTS, NOMINATIONS, ELECTIONS, AND BOARD MEMBERSHIPS**

The following is a summary of Richard K. Pino's additional appointments, nominations, elections and board memberships.

Richard K. Pino currently serves as member of the Board of Trustees on the Right of Way International Education Foundation (RWIEF). The RWIEF is a non-profit tax exempt corporation with a purpose of funding right of way education and initiatives.

Richard K. Pino served on Real Estate Review Board of the Massachusetts Highway Department from 2002 to 2007. In 2009, Mr. Pino was appointed to the Real Estate Appraisal Review Board for the Massachusetts Department of Transportation (REARB). The primary function of the REARB is to approve eminent domain acquisitions real property interest with a value in excess of \$300,000. He served as the REARB Chairman until his term expired in 2012. Mr. Pino was reappointed to the REARB in March of 2015 for a 3-year term and serves as Chairman.

### **EDUCATION**

Skidmore College  
American University of Rome  
Long Island University - C.W. Post Center

B.A. Degree, 1982  
International Business, 1979  
Business, 1976 - 1979

### **REAL ESTATE EDUCATION – COURSES & SEMINARS**

Mr Pino has taken over 60 real estate education courses and seminars. A summary of these are available upon request.

# Tab C

## REVENUE POTENTIAL:

### Long-Term Lease NPV and PV Calculator

Total Value	\$9,358,077
Present Value	\$6,293,426
Appraised Value	5,810,000
Yearly Increase	1.00%

20 Year Analysis	
Year	Rent Payment
Year 1	425,000
Year 2	429,250
Year 3	433,543
Year 4	437,878
Year 5	442,257
Year 6	446,679
Year 7	451,146
Year 8	455,658
Year 9	460,214
Year 10	464,816
Year 11	469,464
Year 12	474,159
Year 13	478,901
Year 14	483,690
Year 15	488,527
Year 16	493,412
Year 17	498,346
Year 18	503,329
Year 19	508,363
Year 20	513,446

**9,358,077**

# Eversource Sudbury to Hudson Transmission Line Proposed use of the inactive Central Mass Branch ROW in Sudbury and Hudson

Massachusetts Bay Transportation Authority



# Project Overview

- Eversource is proposing to construct a new 115-kilovolt (kV) transmission line between Sudbury and Hudson, MA.
- The new line would be constructed between an existing Eversource substation in Sudbury connecting to another existing power substation in Hudson.
- Eversource has proposed uses of 8.63 miles of MBTA property along the inactive Central Mass Branch ROW in Sudbury and Hudson.
- Eversource has proposed two different design options – an all-overhead line (appraised value ~\$8M) and an all-underground line (appraised value ~\$5.810M).
- A draft ‘Option Agreement’ has been negotiated between the MBTA and Eversource for the right to an easement to use the inactive Central Mass Branch ROW in Sudbury and Hudson.
  - The MBTA has only considered and, ultimately, negotiated an underground option based on community feed back.
  - Final design subject to MA Energy Facilities Siting Board (EFSB) review and approval. EFSB is charged with ensuring a reliable energy supply for the Commonwealth with a minimal impact on the environment at the lowest possible cost.
  - Eversource will work with DCR to assist DCR with the creation a multiuse trail.

# Deal Terms

- 6 year 'Option Agreement' Rights
  - Initial 1<sup>st</sup> year term
    - \$100,000 initial payment to be paid upon execution (Winter 2017)
  - Next 5 years of Option Agreement Term
    - \$10,000 payment for each year the option agreement is extended
- Appraised Value of \$5,810,000 for an all-underground line.
- Should Eversource exercise its right to acquire an easement the following terms shall apply:
  - 20 year payment term
  - \$425,000 a year increasing 1.00% annually
  - Total revenue to the MBTA \$9,358,077 over the 20 year period

# FMCB Action

Vote:

That the General Manager be, and is hereby authorized in the name of and on behalf of the Massachusetts Bay Transportation Authority, and in a form approved by the General Counsel, to enter into an Option Agreement for an Easement along an 8.63 mile portion of the inactive Central Mass Branch Right-of-Way in Sudbury and Hudson and any and all other instruments deemed necessary for execution of said Option Agreement and/or Easement. Said Option Agreement and/or Easement and any other necessary instruments and documents shall contain such other terms and conditions as determined to be necessary and/or advisable by the General Counsel.

**From:** Tom Cox  
**To:** [Boyle, Mark](#)  
**Cc:** [Armstrong, Lauren D.](#)  
**Subject:** RE: Eversource - Sudbury to Hudson - MBTA - 15193  
**Date:** Sunday, August 14, 2016 2:38:22 PM

---

That is what we have proposed, we simply converted the \$5,810,000 to a yearly rent -- thought this rate is aggressive. As noted, Eversource has not agreed yet ....

As for FMCB approval, under any circumstance (easement or 99 year lease) we will need their approval.

-----Original Message-----

From: Boyle, Mark [<mailto:MBoyle@MBTA.com>]  
Sent: Sunday, August 14, 2016 2:16 PM  
To: Tom Cox  
Cc: Armstrong, Lauren D.  
Subject: RE: Eversource - Sudbury to Hudson - MBTA - 15193

Sounds great. Thanks!

So is it \$581,000 each year for 99 years (plus escalators)? That's a lot more than the value of \$5,810,000.

---

From: Tom Cox [[Tom.Cox@greyco.com](mailto:Tom.Cox@greyco.com)]  
Sent: Saturday, August 13, 2016 7:40 PM  
To: Boyle, Mark  
Cc: Armstrong, Lauren D.  
Subject: Eversource - Sudbury to Hudson - MBTA - 15193

Mark

I spoke to Eversource on Friday regarding many of their active projects. Eversource project Managers were on the call, not any of the government relations people.

The Sudbury to Hudson is a particularly sensitive issue, below are general updates from that meeting and a heads up on a future FMCB approval need.

Overhead or Underground:

I was clear that the Project will be underground and that the Option Agreement will be drafted as such. Eversource noted that they 'understood' - I am considering this issue closed.

We should perhaps confirm this with your Eversource contacts and then communicate the same with the Towns impacted by this project. (Through Trish Foley that is..)

Valuation:

Melissa had the subsurface option valued - \$5,810,000 was established.

Easement or 99 Year Lease:

Eversource has agreed to a 99 year lease with reoccurring payments.

Rather than a onetime payment, we proposed a \$581,000 yearly rent with the standard 3% rent increase each year.

(they have not fully agreed to this.. To be clear.. More to come)

Option Agreement:

Business terms will include:

§ 99 year lease

§ \$581,000 yearly rent

o 3% rent increase each year

§ \$58,100 option payment when option agreement is executed (10% of the first years rent)

o 3 options to extend the Option Agreement for \$10,000

o After 3 years, the Option Agreement shall expire

FMCB Approval:

This deal will require the MBTA's Fiscal Management Control Board's approval. The next meeting we could receive approval at is September 18 - assuming we review the deal at the Executive Session on September 13.

We can use the next month to negotiate the Option Agreement in anticipation of an approval on September 18.

Let me know if you have any questions.

Tom Cox

\*\*\*\*\*

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**From:** Boyle, Mark  
**To:** [tcox@greyco.com](mailto:tcox@greyco.com)  
**Subject:** FW: Sudbury to Hudson Transmission Line  
**Date:** Sunday, August 14, 2016 4:46:11 PM

---

See below. I'd like to respond that we are requiring the transmission line to be installed underground. Is this the former Central Mass Branch ROW upon which DCR will be installing the rail trail?

---

From: FARNWR [[friendsofassabetrivernwr@gmail.com](mailto:friendsofassabetrivernwr@gmail.com)]  
Sent: Sunday, August 14, 2016 3:10 PM  
To: Beverly.Schultz@eversource.com; Joanne.OLeary@eversource.com; Mark.Kimball@eversource.com; roger\_lau@warren.senate.gov; chris\_lange@warren.senate.gov; mark\_gallagher@markey.senate.gov; Katie.Enos@mail.house.gov; Russell.Pandres@mail.house.gov; June.Black@mail.house.gov; Ben.Martello@mail.house.gov; Wade.Blackman@mail.house.gov; Christian.Lobue@mail.house.gov; Cahill, Alexandra (ENV); George.peterson@state.me.us; Boyle, Mark; rob.garrity@state.ma.us; James.Eldridge@masenate.gov; Mike.Barrett@masenate.gov; carmine.gentile@mahouse.gov; Kate.Hogan@mahouse.gov; Danielle.Gregoire@mahouse.gov; rodriguesM@sudbury.ma.us; tmoses@townofhudson.org; mayor@marlborough-ma.gov; libby\_herland@fws.gov; lvernegaard@svtweb.org; EParker6749@verizon.net; jwgish@gmail.com; sg2n3055@verizon.net  
Cc: Dave Manj; karen lund; Barratt, Kalisa; David Molzan; David Williams; Joseph Fernandez; Janice Wright  
Subject: Sudbury to Hudson Transmission Line

Dear Ms. Shultz:

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Sincerely,  
David Manjarrez  
President  
Friends of the Assabet River National Wildlife Refuge

P.O. Box 27, Hudson, MA 01749-0027

www.FARNWR.org<<http://www.FARNWR.org>> info@farnwr.org<<mailto:info@farnwr.org>>

cc:

U.S. Senator Elizabeth Warren  
U.S. Senator Edward Markey  
U.S. Congresswoman Niki Tsongas  
U.S. Congresswoman Katherine Clark  
Governor Charlie Baker  
Matthew Beaton, Secretary MA EOEEA  
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Jan Wright, Director, Friends of the Assabet River National Wildlife Refuge  
Joe Fernandez, Director, Friends of the Assabet River National Wildlife Refuge

---

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**From:** Boyle, Mark  
**To:** [tcox@greyco.com](mailto:tcox@greyco.com)  
**Subject:** FW: Sudbury to Hudson Transmission Line  
**Date:** Sunday, August 14, 2016 4:46:11 PM

---

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---

From: FARNWR [[friendsofassabetrivernwr@gmail.com](mailto:friendsofassabetrivernwr@gmail.com)]  
Sent: Sunday, August 14, 2016 3:10 PM  
To: Beverly.Schultz@eversource.com; Joanne.OLeary@eversource.com; Mark.Kimball@eversource.com; roger\_lau@warren.senate.gov; chris\_lange@warren.senate.gov; mark\_gallagher@markey.senate.gov; Katie.Enos@mail.house.gov; Russell.Pandres@mail.house.gov; June.Black@mail.house.gov; Ben.Martello@mail.house.gov; Wade.Blackman@mail.house.gov; Christian.Lobue@mail.house.gov; Cahill, Alexandra (ENV); George.peterson@state.me.us; Boyle, Mark; rob.garrity@state.ma.us; James.Eldridge@masenate.gov; Mike.Barrett@masenate.gov; carmine.gentile@mahouse.gov; Kate.Hogan@mahouse.gov; Danielle.Gregoire@mahouse.gov; rodriguesM@sudbury.ma.us; tmoses@townofhudson.org; mayor@marlborough-ma.gov; libby\_herland@fws.gov; lvernegaard@svtweb.org; EParker6749@verizon.net; jwgish@gmail.com; sg2n3055@verizon.net  
Cc: Dave Manj; karen lund; Barratt, Kalisa; David Molzan; David Williams; Joseph Fernandez; Janice Wright  
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Joe Fernandez, Director, Friends of the Assabet River National Wildlife Refuge

---

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**From:** Tom Cox  
**To:** [Boyle, Mark](#)  
**Subject:** RE: Sudbury to Hudson Transmission Line  
**Date:** Sunday, August 14, 2016 5:29:55 PM

---

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To: Tom Cox  
Subject: FW: Sudbury to Hudson Transmission Line

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**From:** Boyle, Mark  
**To:** "James.Hunt@eversource.com"  
**Subject:** FW: Sudbury to Hudson Transmission Line  
**Date:** Tuesday, August 16, 2016 3:03:55 PM

---

Jim:

Hope all is well.

Please see below and please give me a call when you have a chance.

Thanks.

Mark

Mark E. Boyle  
Office of Real Estate and Asset Development  
MassDOT/MBTA  
Ten Park Plaza, Suite 5720  
Boston, MA 02116  
(617) 222-3255  
mboyle@mbta.com

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Thanks.

Mark

Mark E. Boyle  
Office of Real Estate and Asset Development  
MassDOT/MBTA  
Ten Park Plaza, Suite 5720  
Boston, MA 02116  
(617) 222-3255  
mboyle@mbta.com

---

**From:** FARNWR [mailto:friendsofassabetrivernwr@gmail.com]  
**Sent:** Sunday, August 14, 2016 3:11 PM  
**To:** Beverly.Schultz@eversource.com; Joanne.OLeary@eversource.com; Mark.Kimball@eversource.com; roger\_lau@warren.senate.gov; chris\_lange@warren.senate.gov; mark\_gallagher@markey.senate.gov; Katie.Enos@mail.house.gov; Russell.Pandres@mail.house.gov; June.Black@mail.house.gov; Ben.Martello@mail.house.gov; Wade.Blackman@mail.house.gov; Christian.Lobue@mail.house.gov; Cahill, Alexandra (ENV); George.peterson@state.me.us; Boyle, Mark; rob.garrity@state.ma.us; James.Eldridge@masenate.gov; Mike.Barrett@masenate.gov; carmine.gentile@mahouse.gov; Kate.Hogan@mahouse.gov; Danielle.Gregoire@mahouse.gov; rodriguesM@sudbury.ma.us; tmoses@townofhudson.org; mayor@marlborough-ma.gov; libby\_herland@fws.gov; lvernegaard@svtweb.org; EParker6749@verizon.net; jwgish@gmail.com; sg2n3055@verizon.net  
**Cc:** Dave Manj; karen lund; Barratt, Kalisa; David Molzan; David Williams; Joseph Fernandez; Janice Wright  
**Subject:** Sudbury to Hudson Transmission Line

Dear Ms. Shultz:

I write this letter in support of the June 28, 2016 letter from Elizabeth A. Herland, Wildlife Refuge Manager for the Eastern Massachusetts National Wildlife Refuge Complex ("the Refuge"), and as the President of the Friends of the Assabet River National Wildlife Refuge ("the Friends"). As an organization that works for the betterment and sustainability of the Refuge, we strongly oppose the plan for the new 115 kV above ground power line between Sudbury and Hudson. We believe that power lines should be installed underground along existing roadways so as to lessen the deleterious effects the lines will have on the Refuge, its wildlife, and its visitors.

The Friends is a non-profit organization of volunteers who work with the US Fish and Wildlife Service to protect and enhance the Refuge's flora and fauna. We engage community and other stake-holders to promote maximum use and enjoyment of the Refuge for the

surrounding communities while balancing those benefits with the primary goal of protecting its natural resources. Through stewardship activities, education and outreach programs, the Friends work to ensure the Refuge's valuable resources are available for the enjoyment and education of present and future generations. On a monthly basis, the Friends reach out to over 200 members and another 10,000 non-members through emails, programs and seminars.

The Refuge is a remarkably prized resource to Eastern Massachusetts, and in particular to the surrounding communities of Maynard, Hudson, Marlboro, Stow, and Sudbury. These communities would be directly affected by the plan to cut the 82-foot wide transmission corridor along the MBTA abandoned rail line to accommodate large overhead towers and transmission lines. Residents of these and other nearby cities and towns are Friends members and volunteers who have spent years helping to clear and prepare the land to be a better sanctuary for native animals, birds, fish and over 650 plants species. They send their children to Refuge programs to learn about the environment, and to nurture and release endangered Blanding's turtles back into the wild. The proposed corridor would disrupt the natural beauty of the Refuge and impact its plants and wildlife.

I wholeheartedly urge you to save the Refuge's revived pristine beauty and habitat from the adverse effect of Eversource's plan for overhead transmission lines by considering an underground alternative.

Sincerely,

David Manjarrez

President

Friends of the Assabet River National Wildlife Refuge

P.O. Box 27, Hudson, MA 01749-0027

[www.FARNWR.org](http://www.FARNWR.org) [info@farnwr.org](mailto:info@farnwr.org)

cc:

U.S. Senator Elizabeth Warren

U.S. Senator Edward Markey

U.S. Congresswoman Niki Tsongas

U.S. Congresswoman Katherine Clark

Governor Charlie Baker

Matthew Beaton, Secretary MA EOEEA

George Peterson, Commissioner Department of Fish and Game

Leo Roy, Commissioner, MA Department of Conservation and Recreation

Mark Boyle, MBTA

State Senator Jamie Eldridge

State Senator Michael Barrett

State Representative Carmine Gentile

State Representative Danielle Gregoire

State Representative Kate Hogan

Melissa Murphy Rodrigues, Sudbury Town Manager

Tome Moses, Executive Assistant, Hudson

Arthur Vigeant, Mary, City of Marlborough

Elizabeth A. Herland, Wildlife Refuge Manager for the Eastern Massachusetts National Wildlife Refuge Complex

Lisa Vernegaard, Executive Director, Sudbury Valley Trustees

Elfriede Parker, Acting President, General Federation of Women's Clubs of Massachusetts

Leslie G. Hamilton, Protect Sudbury

Jennifer Krowchun, O'Neill and Associates

Beverly O'Leary, Eversource

Mark Kimball, Eversource

David Manjarrez, President, Friends of the Assabet River National Wildlife Refuge  
Karen Lund, Treasurer, Friends of the Assabet River National Wildlife Refuge  
Kalisa Barratt, Clerk, Friends of the Assabet River National Wildlife Refuge  
David Molzan, Director, Friends of the Assabet River National Wildlife Refuge  
David Williams, Director, Friends of the Assabet River National Wildlife Refuge  
Jan Wright, Director, Friends of the Assabet River National Wildlife Refuge  
Joe Fernandez, Director, Friends of the Assabet River National Wildlife Refuge

---

This email has been scanned by MessageLabs and contains no viruses or malware.

Tom Cox

**From:** Foley, Trish (DOT) [<mailto:Trish.Foley@dot.state.ma.us>]

**Sent:** Wednesday, November 30, 2016 9:45 AM

**To:** Chan, Janelle (MBTA) <[jchan@mbta.com](mailto:jchan@mbta.com)>; Boyle, Mark E (MBTA) <[mboyle@mbta.com](mailto:mboyle@mbta.com)>; Tom Cox <[Tom.Cox@greyco.com](mailto:Tom.Cox@greyco.com)>

**Subject:** FW: MBTA right of way

See below.

I sent this over to DOT Rail because I thought it was under them but after just speaking with Representative Gentile, it appears there might be a pending transaction with the MBTA and Eversource? However, the Rep. stated the town wants to purchase the ROW.

Please provide me background on this issue. Thanks.

---

**From:** Blatchford, James (HOU) [<mailto:james.blatchford@mahouse.gov>]

**Sent:** Monday, November 21, 2016 11:15 AM

**To:** Foley, Trish (DOT)

**Subject:** MBTA right of way

Hi Trish,

Rep. Gentile asked me to reach out to you in regards to the MBTA right of way that runs through Sudbury. He was wondering what would be the cost of the right of way if the town of Sudbury looked to purchase that land?

Thank you,

Jim Blatchford | Legislative Aide

Office of Rep. Carmine Gentile | 13th Middlesex District

State House, Rm 39 | Boston, MA 02133-1054

[james.blatchford@MAhouse.gov](mailto:james.blatchford@MAhouse.gov) | O: 617-722-2014 ext. 8664

\* \* \* \* \*

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617-222-4222

[jchan@mbta.com](mailto:jchan@mbta.com)



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**Sent:** Monday, December 5, 2016 9:25 AM

**To:** Tom Cox <[Tom.Cox@greyco.com](mailto:Tom.Cox@greyco.com)>

**Cc:** Chan, Janelle <[jchan@MBTA.com](mailto:jchan@MBTA.com)>; Boyle, Mark <[MBoyle@MBTA.com](mailto:MBoyle@MBTA.com)>

**Subject:** RE: MBTA right of way

**Importance:** High

Following up on this request again – who can speak with Rep. Gentile?

---

**From:** Foley, Trish (DOT)

**Sent:** Friday, December 02, 2016 11:04 AM

**To:** Tom Cox

**Cc:** Chan, Janelle (MBTA); Boyle, Mark E (MBTA)

**Subject:** RE: MBTA right of way

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Can someone from Real Estate please call Rep. Carmine Gentile regarding this issue. I am more than happy to be on the call as well.

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**From:** Foley, Trish (DOT)

**Sent:** Thursday, December 01, 2016 2:53 PM

**To:** Tom Cox

**Cc:** Chan, Janelle (MBTA); Boyle, Mark E (MBTA)

**Subject:** Re: MBTA right of way

Rep. Carmine Gentile's Cell # [508 380 6097](tel:5083806097)

Sent from my iPhone

On Nov 30, 2016, at 10:52 AM, Tom Cox <[Tom.Cox@greyco.com](mailto:Tom.Cox@greyco.com)> wrote:

Trish

Below are a few links about the project – better a talk through.

<https://www.eversource.com/Content/ema-c/about/major-projects-infrastructure/massachusetts-transmission-projects/sudbury-to-hudson-project>

<http://www.protectsudbury.org/>

[https://sudbury.ma.us/townmanager/eversource\\_reliability\\_project\\_sudbury\\_hudson/](https://sudbury.ma.us/townmanager/eversource_reliability_project_sudbury_hudson/)

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<http://www.protectsudbury.org/>

[https://sudbury.ma.us/townmanager/eversource\\_reliability\\_project\\_sudbury\\_hudson/](https://sudbury.ma.us/townmanager/eversource_reliability_project_sudbury_hudson/)

**From:** Tom Cox  
**To:** [Chan, Janelle](#)  
**Cc:** [Boyle, Mark](#)  
**Subject:** Sudbury to Hudson -- MBTA right of way  
**Date:** Tuesday, December 06, 2016 4:18:14 PM

---

Janelle

The purpose of this note is to provide a quick overview of Eversource's proposed Sudbury to Hudson transmission line.

**From Eversources' Web Page:** <https://www.eversource.com/Content/ct-g/about/major-projects-infrastructure/sudbury-to-hudson-project>

Eversource's proposed 9-mile route includes 7.6 miles within an existing, inactive Massachusetts Bay Transportation Authority (MBTA) railroad bed. The remaining 1.4 miles are located under streets within the town of Hudson.

The MBTA property portion includes two different design options – an all-overhead line and an all-underground line. *(Option agreement being negotiated only allows for subsurface installation – Eversource web page notes the above grade option)* Approximately 4.3 miles of the line will be in Sudbury and 4.7 miles in Hudson. This route also includes small sections within Marlborough and Stow.

**Value:**

An appraisal has established a \$5.8 Million for subsurface installation – what is being allowed under the option agreement.

Above grade values were north of \$8 Million.

**Transaction:**

An option agreement is being negotiated, vs a sale that will close on a specific date. If Eversource exercises its option, the easement will be recorded once payment is made.

Eversource will pay the MBTA \$100k when the option agreement is executed. They will have the right to extend the option period for \$10k each year for 3 years.

Because the option agreement could result in a value above FMCB approvals, it's expected that FMCB approval will be required **BEFORE** the option agreement is executed.

Let me know if you have any questions.

Tom Cox

---

**From:** Chan, Janelle [mailto:jchan@MBTA.com]

**Sent:** Monday, December 5, 2016 10:42 AM

**To:** Foley, Trish (DOT) ; Tom Cox

**Cc:** Boyle, Mark

**Subject:** RE: MBTA right of way

Hi Trish,

Left a message to Rep. Gentile letting him know that we're finalizing our negotiations and what we've appraised the ROW to be. He has my cell phone now.

Janelle

Janelle L. Chan, LEED AP

Chief of Real Estate

MBTA

Ten Park Plaza, Suite 5720

Boston, MA 02116

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Chief of Real Estate

MBTA

Ten Park Plaza, Suite 5720

Boston, MA 02116

**STAFF SUMMARY SHEET  
(MBTA PROCEDURES NO. 1)**

TO		FOR		FROM: Janelle Chan, Chief of Real Estate	
<b>1</b>	GM	<b>1&amp;2</b>	Approval	Dept.: Real Estate and Asset Development	Author: Kevin Killion
		<b>1</b>	Signature		
<b>2</b>	BD	<b>2</b>	Vote	Subject: Eversource Sudbury to Hudson Electric Transmission Line	Date: January 19, 2017
			Info		

Implications: (The implications checked below are involved in this action, are discussed below or in a separate enclosure, and have been considered in the final recommendation.)  
☐ Capital Budget      ☒ Operating Budget      ☒ Legal      ☐ Other

**PURPOSE:**

The purpose of this Staff Summary is to obtain the Fiscal Management and Control Board approval for the Massachusetts Bay Transportation Authority ("MBTA") to enter into an option agreement, and potentially a long term easement, with Eversource Energy ("Eversource") for a portion of the inactive Central Mass Branch right of way ("ROW") in Sudbury and Hudson to install an underground electric transmission line.

**TOTAL PROJECT BUDGET:**

This project will generate non-fare revenue and does not include any capital obligation on the MBTA's behalf.

**DISCUSSION:**

In an effort to create non-fare revenue, the MBTA, through its designated representative, Massachusetts Realty Group ("MRG"), has been negotiating an option agreement with Eversource that would allow for a long term easement along 8.63 miles of the inactive Central Mass Branch ROW. Eversource is seeking the option agreement in order to allow for the construction of a new 115-kilovolt (kV) transmission line between existing Eversource substations in Sudbury and Hudson. The option agreement, and potential long term easement, would allow for an underground installation.

Before Eversource can exercise its rights under the option agreement, Eversource must obtain approval from the Energy Facilities Siting Board ("EFSB"). EFSB is charged with ensuring a reliable energy supply for the Commonwealth of Massachusetts while ensuring minimal impact on the environment at the lowest possible cost to the consumer.

The option agreement would be for a term of six (6) years. Eversource will pay One Hundred Thousand Dollars (\$100,000.00) to the MBTA upon the execution of the option agreement and Ten Thousand Dollars (\$10,000.00) for each subsequent year until the option is exercised or the option agreement expires.

To the extent Eversource exercises its option under the option agreement, the MBTA will receive Four Hundred and Twenty-Five Thousand Dollars (\$425,000.00) per year increasing by 1% annually for a term of twenty (20) years. The total revenue to the MBTA could be Nine Million Three Hundred Fifty-Eight Thousand and Seventy-Seven Dollars (\$9,358,077.00) The potential revenue stream to the MBTA has a present value of Six Million Two Hundred Ninety-Three Thousand Four Hundred and Twenty-Six Dollars (\$6,293,426.00) to the extent the option exercised. The potential revenue is shown on Tab C of this Staff Summary.

The MBTA granted an Alternative Transportation Corridor Lease (the "ATC Lease") to the Division of Conservation and Recreation ("DCR") for the implementation of a multi-use trail along the inactive Central Mass Branch ROW. The ATC Lease allows the MBTA grant other real estate interests in the ROW. Aside from the revenue opportunity for the MBTA, Eversource will work with DCR to construct the multi-use trail along the ROW where the easement location is contemplated.

**FINANCIAL IMPACT:**

Please see attached Tab C.

**SUBJECT:** Eversource Sudbury to Hudson Electric  
Transmission Line

**AUTHOR:** Kevin Killion  
**DATE:** January 19, 2017  
**PAGE:** 2

---

**ALTERNATIVES:**

Initially, Eversource was seeking the option to implement an overhead installation instead of an underground installation. Although the overhead installation would have resulted in additional revenue to the MBTA, ultimately an underground option agreement was negotiated based on community feedback. Deciding to forgo the option agreement would result in the loss of One Hundred Thousand Dollars (\$100,000.00) in FY 2017 for the execution of the option agreement and Nine Million Three Hundred Fifty-Eight Thousand and Seventy-Seven Dollars (\$9,358,077.00) in potential future revenue to the MBTA, to the extent Eversource exercises its rights under the option agreement.

**RECOMMENDATION:**

That the Board approves the proposed execution of the option agreement and the execution of an easement if Eversource exercises its rights under the option agreement.

**ENCLOSURES:**

TAB A – Vote  
TAB B – Description of the Premises  
TAB C – Revenue Potential

**REVIEW COPIES:**

Treasurer-Controller  
Budget Director

**COORDINATION:**

General Counsel

**RECOMMEND APPROVAL:**

\_\_\_\_\_  
Janelle Chan  
Chief of Real Estate

**RECOMMEND APPROVAL:**

\_\_\_\_\_  
Michael Abramo  
Chief Financial Officer

**RECOMMEND APPROVAL:**

\_\_\_\_\_  
John Englander  
General Counsel

**RECOMMEND APPROVAL:**

\_\_\_\_\_  
Brian Shortsleeve  
Chief Administrator and Acting General Manager

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**AUTHOR:** Kevin Killion  
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---

**ALTERNATIVES:**

Initially, Eversource was seeking the option to implement an overhead installation instead of an underground installation. Although the overhead installation would have resulted in additional revenue to the MBTA, ultimately an underground option agreement was negotiated based on community feedback. Deciding to forgo the option agreement would result in the loss of One Hundred Thousand Dollars (\$100,000.00) in FY 2017 for the execution of the option agreement and Nine Million Three Hundred Fifty-Eight Thousand and Seventy-Seven Dollars (\$9,358,077.00) in potential future revenue to the MBTA, to the extent Eversource exercises its rights under the option agreement.

**RECOMMENDATION:**

That the Board approves the proposed execution of the option agreement and the execution of an easement if Eversource exercises its rights under the option agreement.

**ENCLOSURES:**

TAB A – Vote  
TAB B – Description of the Premises  
TAB C – Revenue Potential

**REVIEW COPIES:**

Treasurer-Controller  
Budget Director

**COORDINATION:**

General Counsel

**RECOMMEND APPROVAL:**

\_\_\_\_\_  
Janelle Chan  
Chief of Real Estate

**RECOMMEND APPROVAL:**

\_\_\_\_\_  
Michael Abramo  
Chief Financial Officer

**RECOMMEND APPROVAL:**

\_\_\_\_\_  
John Englander  
General Counsel

**RECOMMEND APPROVAL:**

\_\_\_\_\_  
Brian Shortsleeve  
Chief Administrator and Acting General Manager

**From:** Pesaturo, Joe  
**To:** Glynn, Astrid (DOT); Chan, Janelle; Boyle, Mark; Bosworth, Scott (DOT); Eng, James (DOT)  
**Cc:** Battiston, Lisa (DOT)  
**Subject:** Inquiry - Sudbury Eversource  
**Date:** Tuesday, April 11, 2017 1:54:27 PM

---

Any assistance would be appreciated.....

**From:** "Dame, Jonathan" <[jdame@wickedlocal.com](mailto:jdame@wickedlocal.com)>

**Date:** April 11, 2017 at 1:51:29 PM EDT

**To:** [jpesaturo@mbta.com](mailto:jpesaturo@mbta.com)

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Thanks,

**Jonathan Dame**  
Reporter, MetroWest Daily News  
w: 508-626-3919  
c: 617-605-1148  
[@DameReports](mailto:@DameReports)

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**To:** Pesaturo, Joe; Glynn, Astrid (DOT); Boyle, Mark; Bosworth, Scott (DOT); Eng, James (DOT)  
**Cc:** Battiston, Lisa (DOT); Armstrong, Lauren D.; "Mike Swedick"  
**Subject:** RE: Inquiry - Sudbury Eversource  
**Date:** Tuesday, April 11, 2017 2:26:32 PM

---

[REDACTED]

Janelle L. Chan, LEED AP  
Chief of Real Estate  
MBTA  
Ten Park Plaza, Suite 5720  
Boston, MA 02116  
617-222-4222 (direct)  
617-429-0634 (c)  
[jchan@mbta.com](mailto:jchan@mbta.com)



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Any assistance would be appreciated.....

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[REDACTED]

Janelle L. Chan, LEED AP  
Chief of Real Estate  
MBTA  
Ten Park Plaza, Suite 5720  
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**From:** [Pesaturo, Joe](#)  
**To:** [Chan, Janelle](#); [Boyle, Mark](#)  
**Cc:** [Armstrong, Lauren D.](#); "Mike Swedick"  
**Subject:** Inquiry - Sudbury Eversource  
**Date:** Tuesday, April 11, 2017 2:30:04 PM

---

So an option has not been executed at this point?

**From:** Chan, Janelle  
**Sent:** Tuesday, April 11, 2017 2:27 PM  
**To:** Pesaturo, Joe; Glynn, Astrid (DOT); Boyle, Mark; Bosworth, Scott (DOT); Eng, James (DOT)  
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Janelle L. Chan, LEED AP

Chief of Real Estate

MBTA

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Boston, MA 02116

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**From:** Tom Cox  
**To:** [Boyle, Mark](#)  
**Subject:** Fwd: Eversource to Sudbury Option Agreement  
**Date:** Wednesday, April 26, 2017 7:44:35 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)

---

FYI -- you and I spoke to Frank (former GM) about the waiver to struck compliance with the directorate. I believe Jody was aware as well.

Tom Cox  
617-285-5425

Sent from my iPhone

Begin forwarded message:

From: Mike Swedick <[Mike.Swedick@greyco.com](mailto:Mike.Swedick@greyco.com)<<mailto:Mike.Swedick@greyco.com>>>  
Date: April 26, 2017 at 3:22:54 PM EDT  
To: "Chan, Janelle" <[jchan@MBTA.com](mailto:jchan@MBTA.com)<<mailto:jchan@mbta.com>>>, "Ray, John" <[JRay@MBTA.com](mailto:JRay@MBTA.com)<<mailto:JRay@mbta.com>>>  
Cc: Tom Cox <[Tom.Cox@greyco.com](mailto:Tom.Cox@greyco.com)<<mailto:Tom.Cox@greyco.com>>>  
Subject: Eversource to Sudbury Option Agreement

# Attorney-Client Communication

Michael J. Swedick | Assistant Counsel  
Greystone | Massachusetts Realty Group  
20 Park Plaza, Suite 1120, Boston, MA 02116  
[mike.swedick@greyco.com](mailto:mike.swedick@greyco.com)<<mailto:mike.swedick@greyco.com>> | o: 617-316-1666  
[www.greyco.com](http://www.greyco.com)<<http://www.greyco.com>> | [www.mbtarealty.com](http://www.mbtarealty.com)<<http://www.mbtarealty.com>>

Connect with us: [image of the LinkedIn logo] <<https://www.linkedin.com/company/greystone-gms>>  
[<http://lcm.org/wp-content/uploads/2011/03/twitter-logo.png>] <<https://twitter.com/GreystoneGMS>>

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-----Original Message-----

From: Chan, Janelle [mailto:jchan@MBTA.com]  
Sent: Thursday, April 27, 2017 2:27 PM  
To: Mike Swedick <Mike.Swedick@greyco.com>  
Subject: RE: Eversource to Sudbury Option Agreement

No attachment

Janelle L. Chan, LEED AP  
Chief of Real Estate  
MBTA  
Ten Park Plaza, Suite 5720  
Boston, MA 02116  
617-222-4222 (direct)  
617-429-0634 (c)  
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-----Original Message-----

From: Mike Swedick [mailto:Mike.Swedick@greyco.com]  
Sent: Thursday, April 27, 2017 2:07 PM  
To: Chan, Janelle <jchan@MBTA.com>  
Subject: Fwd: Eversource to Sudbury Option Agreement

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Mike Swedick <Mike.Swedick@greyco.com>  
Date: 4/26/17 3:22 PM (GMT-05:00)  
To: "Chan, Janelle" <jchan@MBTA.com>, "Ray, John" <JRay@MBTA.com>  
Cc: Tom Cox <Tom.Cox@greyco.com>  
Subject: Eversource to Sudbury Option Agreement

Attorney-Client Communication



Attorney-Client Communication

Michael J. Swedick | Assistant Counsel  
Greystone | Massachusetts Realty Group  
20 Park Plaza, Suite 1120, Boston, MA 02116 mike.swedick@greyco.com<mailto:mike.swedick@greyco.com> | o:  
617-316-1666 www.greyco.com<http://www.greyco.com/> | www.mbtarealty.com<http://www.mbtarealty.com/>

Connect with us: [image of the LinkedIn logo] <<https://www.linkedin.com/company/greystone-gms>>  
[<http://lcm.org/wp-content/uploads/2011/03/twitter-logo.png>] <<https://twitter.com/GreystoneGMS>>

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**From:** Tom Cox  
**To:** [Boyle, Mark](#)  
**Subject:** FW: Eversource to Sudbury Option Agreement  
**Date:** Thursday, April 27, 2017 3:39:09 PM  
**Attachments:** [MBTA Directorate Memo.pdf](#)

---

Mark

FYI, knowing you and I spoke to Frank D on the directorate waivers, wanted to keep you apprised.

Let me know if you have any questions.

Tom Cox | Account Executive  
Greystone | Massachusetts Realty Group  
20 Park Plaza, Suite 1120, Boston, MA 02116  
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-----Original Message-----

From: Mike Swedick  
Sent: Thursday, April 27, 2017 3:37 PM  
To: Tom Cox <[Tom.Cox@greyco.com](mailto:Tom.Cox@greyco.com)>  
Subject: FW: Eversource to Sudbury Option Agreement

Michael J. Swedick | Assistant Counsel  
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From: Mike Swedick  
Sent: Thursday, April 27, 2017 3:14 PM  
To: 'Chan, Janelle' <[jchan@MBTA.com](mailto:jchan@MBTA.com)>  
Subject: RE: Eversource to Sudbury Option Agreement

This one?

Mike

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