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# Land Use Planning Study Impacts of Short Line Railroads

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**LAND USE PLANNING STUDY  
IMPACTS OF SHORT LINE RAILROADS  
COMMONWEALTH OF MASSACHUSETTS**

**SPRING, 1991**

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The Center for Economic Development would like to thank  
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# PREFACE

This report will examine the extent to which local land use policies and practices in Massachusetts are consistent with the federal and state goals of short line and regional freight rail preservation. The possibility for economic recovery through the expansion of our manufacturing base is enhanced greatly by the presence of the short line railroads. Short lines benefit shippers and communities through the preservation and attraction of manufacturing jobs. Short line railroads can also compete effectively with short-haul truckers, offering lower consumer costs, safer highways and better fuel conservation.

First, the case for freight rail preservation as a land use planning goal will be developed. Second, the role of local land-use decisions will be placed within the context of other important factors that impact short line railroads. Third, The intergovernmental nature of land use planning for freight rail preservation will be examined, and finally, conclusions and recommendations will be presented. The Appendix contains case studies of rail-related land use conflicts in selected Massachusetts towns.

The managers of three Massachusetts short line railroads--the Massachusetts Central Railroad in Palmer, the Pioneer Valley Railroad in Westfield, and the Bay Colony Railroad in Braintree--were interviewed for this report. Their responses to questions regarding the impact of the local land use decision on rail operations were surprisingly consistent and provided much of our information. Additional background information was received from the Pioneer Valley Regional Planning Commission in West Springfield and the Old Colony Planning Council in Brockton.



## THE MODERN SHORT LINE RAILROAD: A BRIEF HISTORY

During the 1970's, our nation's rail system was in chaos. Service was poor, rates were high, and a tangle of governmental regulation and subsidy succeeded only in discouraging innovation and placing the rails at a competitive disadvantage with the trucking industry. Major rail companies responded by abandoning their least profitable lines, threatening local economies and jobs.

At that point, local shippers, receivers, and communities joined together to preserve rail service along these abandoned lines. This effort was aided by deregulation at the federal level and a commitment by the states to aid in the purchase and rehabilitation of important local rail lines. Today, our national rail network now consists of a few main or "trunk" lines supplied by a myriad of privately operated short line and regional railroads. The small carriers can accomplish what the trunk carriers found most difficult: providing rail service over short distances on a profitable basis.

Since the enactment of the Staggers Rail Act in 1980, more than 200 short line railroads have been formed in the United States. These new companies have been revitalizing rail service over thousands of miles of track, resulting in the retention and attraction of industry and the preservation of both manufacturing and railroading jobs.

The 1980 Staggers Rail Act marked a new era in freight rail policy. This act largely deregulated the rails, creating conditions for railroad companies to turn a profit on their own, rather than depend upon government operating subsidies. The Staggers Act allowed larger companies to streamline their operations and sell low-volume branch lines to experienced, short line railroad operators. It gave short lines the ability to enter enforceable shipping contracts with customers, to negotiate their own rates and to market their services creatively.

The 1980 *Gulf and Mississippi* decision on labor policy by the Interstate Commission was of equal significance to the formation of short line railroads. Under this decision, the ICC made it clear that it would not impose major carrier labor protection to newly formed, independent lines. This has been called a "victory for jobs, a victory for service, and a victory for common sense"<sup>1</sup>. For decades, carriers had abandoned branch lines rather than

transfer them to short line operators because of the economics of labor protection. This meant destruction of service on countless agricultural and light-service branch lines, resulting in a loss of jobs. Therefore, the *Gulf and Mississippi* decision created a strong incentive for short line development.

Short line railroads have often been able to succeed where larger railroad companies have not. This is because overhead costs are often lower than they are for the large railroads--short lines do not need the fastest and most modern locomotives, for example. In addition, flexible labor arrangements allow a small crew to perform a variety of tasks. Short lines are capable of operating frugally with a locally-involved management and are able to offer flexibility and quality customer service to shippers.



# **A CASE FOR THE PRESERVATION OF FREIGHT RAIL SERVICE IN NEW ENGLAND**

A recent article in the Boston Globe (4/17/91, Mitchell Zuckoff) examines the impact that a freight rail worker strike would have upon the economy of Massachusetts and the United States. According to the article, without freight rail service, as much as one third of the nation's goods would not move and as many as 550,000 employees whose jobs are dependent upon train-delivered materials would be affected. Automobile, paper, lumber, steel, chemical manufacturers, coal mining, glass production, and plastic industries would be among those hardest hit. Since commuter trains often use track that is owned or maintained by the freight rail companies, thousands of commuters would be stranded. Moreover, a loss of freight rail service would affect power plants which rely on coal for operation. The construction industry, with its reliance upon building materials from Canada, would be at a standstill. A four-day rail strike in 1982 would have cost the economy up to \$4 billion in lost production.

With the creation of the Staggers Act, public policy on the federal level has moved to support the rails as a private enterprise. The Commonwealth of Massachusetts has its own rail program whereby it purchases track, helps with rehabilitation costs and leases the track to private short line operators. This investment has been made with the expectation that the railroad companies will continue to operate as vigorous private businesses.

## **ISSUE ONE: FUEL EFFICIENCY AND TRAFFIC VOLUME**

### **ENERGY PRODUCTIVITY : VARIOUS MODES OF FREIGHT TRANSPORT**

<b>MODE</b>	<b>TON-MILES PER MILLION BTU</b>
SHIPS	1470
RAILROADS	1300
TRUCKS	360
AIRLINES	20

Source: Barry Commoner, *The Poverty of Power*, Alfred A. Knopf, Inc. NY NY 1976 p.180



By weight, each rail car has the capacity to carry three or four truckloads worth of goods. Efficient use of rail service could substantially reduce truck traffic on highways. In addition, per unit of weight, rail transport uses substantially less fuel than does truck transport.

Nationwide, the leading commodities shipped by rail include coal, farm products, minerals, chemicals, food and food products, lumber and wood products, metallic ores, stone and gravel, paper products, metal, petroleum products, transportation equipment, and waste and scrap materials. Only some of these commodities can be efficiently shipped by truck. A loss of rail service would result in a combination of increased tractor-trailer traffic on the highways and a loss of local enterprise that depend upon high-bulk or high-weight products.

## **ISSUE TWO: IMPACT ON LOCAL AND REGIONAL ECONOMIES**

The health of New England's economy is directly dependent upon the health of its freight transportation network. New England's unique economic needs include the capacity to export pulp and paper, chemicals, and electronics, and to import foodstuffs, steel, grains, and coal. The cost of moving products in and out of New England is high relative to other parts of the country. This cost is added to the price of imported and exported goods, which both places New England at a competitive disadvantage and adds to the price of consumer goods. Therefore, it is important that freight transportation alternatives in New England remain competitive with each other.

Industrial location decisions are closely tied to the freight transportation network. In Palmer, for example, rail-utilizing and rail-dependent industries provide almost 900 jobs and contribute more than \$250,000 to the local tax base. The New England Regional Commission uses a 1.875 multiplier to calculate the number of spin-off jobs associated with direct jobs in rail using industries.

Railroad companies often encounter resistance from localities when trying to site "intermodal" facilities. At these sites goods such as lumber, automobiles and steel are transferred between trucks and trains. Intermodal facilities are necessary to the economic survival of the small railroad, but take up large land areas, produce little direct employment, and generate local truck traffic.

Intermodal facilities provide regional economic advantages. First, the revenues from such a facility can help to "subsidize" rail service to isolated manufacturing plants, thereby preserving jobs. Second, New England's economy benefits from the efficiencies in freight transport provided by intermodal facilities. Third, support for the economic viability of short lines translates into support for the entire New England rail network--which includes Amtrak passenger service.

The New England Intermodal Terminal (NEIT) operated by the Massachusetts Central Railroad, acts as a regional gateway to international trade: the NEIT accepts container traffic from the Pacific Rim that has been transported by cargo ship to the West Coast and transported by rail to Palmer, Massachusetts.

### **ISSUE THREE: ENVIRONMENTAL SAFETY**

Railroad transport can be monitored more carefully than truck transport because of its relatively centralized nature. Independent truckers are not accountable to a regulatory agency in the way that rail employees and companies are accountable to the Federal Railroad Administration (FRA), the Interstate Commerce Commission (ICC), the Massachusetts Executive Office of Transportation and Construction (EOTC) as well as to every town through which they pass.

As an example, the use of herbicides for track maintenance is approved and carefully monitored in Massachusetts under the Department of Food and Agriculture's Integrated Pest Management (IPM) program. Because of such issues, the rails must negotiate and establish relations with local government. Independent truckers are not accountable to local government in this way.

The FRA imposes random drug testing among railroad operators and mandatory drug testing in the event of an accident or where probable cause to suspect drug use exists.

Registered truckers are subject to random testing and truckers on the highway are monitored by police. Again however, the decentralized nature of the trucking industry and the large number of independent truckers makes this hard to enforce. The National Transportation Safety Board estimates that two out of three fatal trucking accidents are drug or alcohol related.



# **FACTORS THAT IMPACT SHORTLINE RAILROADS: LAND USE PLANNING IN PERSPECTIVE**

A recent study sponsored by the Northeast-Midwest Institute<sup>2</sup> concludes that a successful short-line operation results from "strong, hands-on management, a stable traffic base, commitment by one or two shippers to provide minimum traffic or revenue guarantees, a bare-bones operating plan, and low-cost financing or outright grants by states for acquisition or rehabilitation." The following text explains some of the most important considerations of the short-line railroad operator, and places land-use issues within this context:

## **I. ECONOMIC CONDITIONS**

### **A. The Business Cycle**

Freight volume is reduced significantly during periods of economic downturn, reducing revenues accordingly. This is particularly true for short line and regional haulers because of their reliance upon a small number of shippers. During recession, rail income is reduced disproportionately from high-value shipments such as automobiles, steel and lumber.

### **B. Structural Change**

New England's economy has undergone fundamental change since rail deregulation in 1981. A shift in focus from manufacturing to service has resulted in lower freight volumes. In addition, our economy now favors the manufacture of high-value, light-weight commodities, which brings the rails into a more direct competition with trucking companies.

### **C. Fuel Prices**

The fortunes of the rails are tied to fuel prices. Since railroads consume significantly less fuel per ton-mile than do trucks, higher fuel prices tend to favor the railroads. During times of high fuel prices, the trucking industry tends to lobby for greater deregulation, including increased weight limits and permission to haul triple trailers on the highways.



#### **D. Cost and Availability of Capital**

Railroads are among the least profitable of all industry groups, with an average return on capital of about half that for all industry. While rail start-up or upgrading is capital-intensive, the rails are in a poor position to bid for investment capital.

This situation has improved considerably since the 1970's. Deregulation in 1981 has brought about better and more reliable service, which has in turn been an aid in attracting capital. Investment is increasingly geared toward increasing the competitive advantage of railroads by purchasing modern equipment and developing intermodal facilities.

Federal and State funding for acquisition and rehabilitation is sometimes available for small railroads. Government support for railroads has shifted from one of offering price supports and operating subsidies to one of providing partial funding for capital projects.

## **II. MANAGEMENT**

#### **A. Public Relations and Marketing**

The modern freight railroad is far more efficient, reliable, cost-effective and service-oriented than in the past, but railroads still bear the stigma of an earlier day. During the post-war era, the reliability of rail service to branch lines declined. Track conditions were allowed to deteriorate prior to their abandonment. Hopper cars were in short supply and unavailable at key times. Trucking companies, favored by patterns of Federal investment, were able to offer more competitive rates and flexible service. As a result, many shippers switched their allegiance to trucking companies.

The Pioneer Valley Planning Commission has waged a promotional campaign aimed at shippers in order to market the newly efficient rails. The railroad companies themselves provide freight management services, where they work with a shipper to determine the optimal transportation mix for their needs.

Another interesting development is the advent of the railroad manager as industrial broker. A successful railroad manager now actively markets rail service and tries to find suitably zoned sites for manufacturers that wish to come to the area.

### **III. REGULATORY CLIMATE**

#### **A. Rate and Operations Regulation**

The Staggers Act of 1980 partially deregulated the rails by allowing railroad companies to negotiate rates with individual shippers, to operate or contract with trucking companies, and to diversify and market their services creatively. Prior to 1980, the Interstate Commerce Commission (ICC) imposed complex and rigid pricing mechanisms and imposed "common carrier" status upon the rails. This forced the rails to service unprofitable customers and to operate lines with little shipping traffic on them. These regulations, held over from the era when railroads held monopoly over freight transport, were initially designed to protect both the rails and local industry. In the long run, they hampered the rails' competitive position against the new and relatively unregulated trucking industry and stifled cost-saving innovation.

#### **B. Labor Regulation**

The newly-formed short lines could not operate profitably under the labor regulations that apply to the larger railroads. *The Gulf and Mississippi* decision by the ICC, which exempts short line railroads from certain labor regulations, allows flexibility in scheduling, the use of small crews where appropriate and lets each worker perform a variety of tasks. This not only keeps labor costs down, but allows the railroad to offer responsive and individually tailored service to its customers. This flexibility is a necessary component of competing with the trucking industry.



### **C. Safety Regulation**

The Federal Railroad Administration (FRA) periodically inspects track conditions and mandates maintenance so as to maintain a certain level of service. It is generally agreed that short lines need at least Class II track, which corresponds to a 25 mph speed limit. If only Class I track were available, a 10 mph speed limit on a 25 mile stretch of track combined with a 12-hour maximum workday would create a situation in which a run could not be completed within one day.

#### **MAXIMUM ALLOWABLE SPEEDS FOR EACH CLASS OF TRACK MAINTENANCE**

<b>FRA Class</b>	<b>Maximum Miles Per Hour</b>
I	10
II	25
III	40
IV	60
V	80
VI	110

### **D. Environmental Regulation**

Because the right-of-way used by local short lines is owned by the Massachusetts Executive Office of Transportation and Construction (EOTC), all requirements of the Massachusetts Environmental Protection Act (MEPA) apply, including the filing of an Environmental Impact Statement (EIS) for all proposed projects.

The Federal Railroad Association (FRA) insists that track maintenance be performed regularly. This involves removing weeds from the track bed through the application of the pesticide "Roundup". Herbicide use in track maintenance is approved, monitored and regulated by the Massachusetts Department of Food and Agriculture under their Integrated Pest Management (IPM) program. Railroad companies must submit a 5-year vegetation management plan and a yearly operating plan to the Department of Food and Agriculture. They must also delineate wetlands located along the length of the track and post colored

signs indicating "spray" and "no spray" areas. The railroad must notify each town through which its right-of-way passes of planned herbicide application thirty days in advance. Both State and local wetlands regulations are enforced and local conservation commissions from all towns along the right-of-way must provide railroads with a "negative determination" before they apply pesticides.

#### **IV. LAND USE ISSUES: THE PLANNING CONTEXT OF FREIGHT RAIL PRESERVATION**

Railroads must comply with all local land-use regulations. Availability of industrial zoned land, local wetlands regulations, and the nature of the local decision-making process all come into play when railroads wish to site facilities or even act as industrial brokers.

##### **A. Ability to Site Intermodal Facilities**

As mentioned earlier, intermodal and transfer facilities are a necessary part of profitably operating a modern railroad in the Northeast. With the shift in the manufacturing base toward lighter commodities, which can be more appropriately shipped by truck, railroads must access trailer-on-flatcar (TOFC) or container-on-flatcar traffic (COFC) in order to compete for lighter and high-value products. This requires the siting of an "intermodal" facility.

All three railroad managers interviewed reported extreme difficulty in siting intermodal facilities. Such facilities take up large land areas, generate local truck traffic and provide few jobs. Fuel storage is often raised as an environmental concern. While local land use ordinances do not specifically allow or prohibit such a use, reaching agreement on this issue is difficult.

##### **B. Ability to Site and Retain Manufacturing along Lines**

Shippers and receivers are the primary source of revenue for railroads. An adequate level of shipping revenue is impossible without siting manufacturing plants along the line. Interviews with rail managers revealed a three-pronged problem in industrial siting: One, the net amount of land zoned for industry along the tracks is small. Two, much of the land zoned for industry is inappropriate for development. And three, the planning process itself



is characterized by expensive delay, control by influential individuals and fails to recognize economic development as a community need.

Towns with a "no-growth" planning posture place railroads in a situation where they must rely upon existing shippers, leaving them powerless over manufacturing trends. In order to remain competitive and future-oriented, railroads must attract new growth industries as they arise. As a result of rate competition, the trend nationally has been toward less revenue per carload of freight hauled. Greater volume must be accessed in order to survive.

The importance of industrial land-use is illustrated through an examination of the history of the Mass Central Railroad. Between 1975 and 1985, the railroad operated during a period of "industrial shedding." The decline in freight revenues created a situation where it was hardly worth operating the railroad at all. Existing shippers and jobs were at risk. The railroad company was turned around and made profitable through the cooperative efforts of the railroad president, industrialists, and private investors in the New England Intermodal Terminal (NEIT). NEIT is currently the railroad's biggest customer, as local distribution terminus to a trans-national "land bridge" that handles international trade. The siting of Ware Co-Gen (a coal-fired power plant) and Kanzaki Specialty Papers both added significantly to the railroad's stability.

### **C. Proximity to Environmentally Sensitive Lands**

Railroads in New England have historically developed along river valleys. The reasons for this are two-fold: One, railroads needed shallow grades on which to lay track and operate a steam locomotive efficiently. Two, railroads needed to access existing manufacturing plants that had originally located on rivers. While communities even today tend to concentrate their industrial zoned land along the railroad tracks--that is, along river valleys. Today, however, this same land is often deemed environmentally sensitive by modern standards due to the preponderance of wetland and floodplain designation.

### **D. Incursion of Conflicting Uses**

The incursion of single-family residential uses along the tracks brings with it the problem of the "abutter". Even if a home-buyer has quite knowingly "come to the nuisance", the abutter tends to wield a fair amount of power in the local decision-making process.

Residential incursion has the more general effect of reducing the supply of potential industrial land along the railroad tracks.

#### **F. Controversy over Herbicide Use**

Railroads, mandated by the FRA to maintain track quality, wish to periodically apply "Roundup" to the track bed to prevent the growth of weeds. Under current technology, there is no other cost-effective way to achieve this end. The process is approved and monitored by the Department of Food and Agriculture under its IPM (Integrated Pest Management) program. The areas around wetlands are not sprayed at all. Railroads must notify towns thirty days in advance before applying herbicides.

This process has proven to be very controversial. Perhaps because of public hearing requirements and the high visibility of the proceedings, it has become an issue for local citizens to oppose the spraying. While it may be true that there are environmental costs associated with rail operations, the alternative scenario (reliance upon trucking) would be far more costly to the environment.

The economic costs of bowing to citizen pressure in this case are substantial. Deferred track maintenance leads to the need for periodic substantial rehabilitation--costs borne by the taxpayer. A down-grading of rail level-of-service jeopardizes rail-dependent jobs. Moreover, it is not clear whether the relative impact of herbicide application along railbeds is greater than the impact of lawn and agricultural chemical application, which are not regulated to the extent that rail operations are.



# **RAILROADS AND LAND USE POLICY: AN INTERGOVERNMENTAL STRATEGY**

## **1. FEDERAL POLICY ADVOCATE**

In an ideal world, the economic and social costs of using various modes of freight transport would be calculated. These costs include taxpayer expenditures, environmental risk, noise and traffic impacts on neighborhoods and energy costs. In the less-than-ideal world in which we live, inefficiencies are maintained by political favoritism while fuel conservation is excluded from federal energy policy. Although planners can present rational arguments for efficient transportation planning, mere appeal to reason will not always work.

## **2. TOWN MEETING LOBBYIST**

This position recognizes that if patterns of Federal investment regulation have tended to favor the trucking industry, then rails must gain their advantage through increasing their access to freight markets. The local land use decision-making process is key in siting industry and intermodal facilities along the tracks. In the absence of state or regional oversight on economic development issues, most siting battles that impact rails will be fought in town halls. An appeal to patriotism or local jobs might work for siting a manufacturing plant may be effective, but an intermodal facility is a true Locally-Unwanted Land Use (LULU). Communities will want a good deal of compensation for accepting such a facility and planners should expect a difficult fight.

## **3. FAMILIAR FACE ON BEACON HILL**

This approach acknowledges that the tradition of home rule, when it significantly and negatively impacts rail viability, is inconsistent with the state goal of preserving rail service. If freight-rail service is necessary and desirable and is supported by taxpayer dollars, then a pattern of local land use decisions which denies a short-line railroad an adequate intermodal facility, for example, does a disservice to the entire state.

The planner can work at the state level to expand its capacity to oversee economic development concerns, particularly in depressed areas. The following models are some options for the planner as rail advocate:

\*"Areas of Critical Environmental Concern" (ACEC), designates critical environmental areas and lowers the threshold for MEPA review. A parallel option would be to designate "Areas of Critical Economic Concern." Where municipalities deny land use proposals that support economic development goals, a MEPA-style "Economic Impact Statement" would be submitted.

\*Regional oversight of "Developments of Regional Impact" (DRI) was recommended by the 1990 Massachusetts Special Commission on Growth and Change. The Commission envisioned that large development projects that have regional impacts, such as shopping malls or "environmentally risky development over aquifers" would be designated "DRI's" and be subject to review and approval by a Regional Commission. A redefined DRI Regional Commission would have the power to overturn local land-use decisions when their regional economic impact is negative and significant.

\*Another possible model is the "Massachusetts Anti-Snob Zoning Law" which allows the state to withhold discretionary funding from towns that do not meet their regional fair-share of affordable housing. A measure of regional fair-share of necessary economic opportunities could be developed using this concept.

The transportation and economic development planner can be a watchdog for consistency at the state level. For instance, why has Massachusetts with one hand submitted a proposal to the FRA for a \$1,000,000 50% matching grant to rehabilitate a line of track between North Adams and Sheffield,<sup>3</sup> and then with the other hand discouraged economic development in Sheffield with extensive ACEC status?



## CONCLUSION

### KEY FINDINGS

\*Railroads provide a public benefit from environmental, fiscal and economic development perspectives.

\*Trackside industrial land is a finite and valuable public resource of local, state, and regional importance.

\*Certain rail-related land uses, particularly intermodal terminals, tend to be actively resisted at the local level. While generation of local truck traffic is most commonly cited, fear of environmental damage by industry is a strong factor as well.

\*Since the rails now operate as largely "free agents" within the open economy, the role of land use planning to enhance economic activity has become more important to rails than it was before deregulation.

\*The current decision-making process places disproportional power over track-side land uses in the hands of local boards and commissions-- and sometimes even in the hands of an influential individual. Those segments of the population who stand the most to gain from economic development often have poor access to the planning process.

\*Economic development concerns are not adequately recognized or institutionalized at either the state or local level of the land use decision-making process. "Veto power" is claimed by environmental watchdogs, yet there is no common agreement as to priorities of environmental or economic values.

\*Public financial investment in the rails is not backed by a public commitment to opening up land use for economic development.

## RECOMMENDATIONS:

\* Tracksides industrial land is a finite regional resource and should be managed as such. There is a need for a State or regional oversight mechanism when local land-use decisions threaten to erode this resource or to work against economic development goals in depressed areas. The "Areas of Critical Planning Concern"(ACPC) concept could be expanded to include economically depressed areas; the "Developments of Regional Impact (DRI) idea could be amended to include a review of local denials; the "anti-snob zoning" carrot and stick approach could be used to encourage communities to site locally undesirable land uses which accrue regional benefit.

\*Public expenditures on rail right-of-way acquisition and rehabilitation should be coupled with strong comprehensive economic development planning.

\*Economic development concerns need to be legitimized and institutionalized in the land use decision-making process in much the same way that environmental concerns were legitimized and institutionalized in the 60's and 70's. A hierarchy of needs should be established. For example, the choice between saving a wetland and securing a major employer in a depressed area should be publicly aired and articulated with neither side having exclusive veto power. The Conservation Commission should be balanced by a Regional Economy Commission.

\*A rational decision-making model would be useful where environmental and economic values are defined and placed in a hierarchy. Thresholds could be established based on criteria such as percent unemployment or amount of available public open space to help define priorities.

\*Public confidence in the environmental behavior of manufacturers must be built. Manufacturers themselves, perhaps in collaboration with the railroads and environmental organizations, could assist in this process by developing model "industrial performance standards" regulations or bylaws.



## **APPENDIX A: EXAMPLES OF RAIL-RELATED LAND USE CONFLICT WITHIN SELECTED MASSACHUSETTS TOWNS**

### **WARE**

The Mass Central Railroad wished to move its intermodal facility from its current location in downtown Palmer to a more rural, but accessible location in Ware. While the Ware site would be more appropriate from both the railroad's and the greater public's point of view, Ware denied Mass Central permission for the facility. A railroad employee suggests that the protestations of an abutting residential landowner may have tipped the balance.

### **WARE**

Just north of the Route 32 overpass is a 75 acre parcel of land that has been proposed for mixed industrial, commercial, recreational, and affordable residential use. The parcel is located on an old B&M roadbed and could be easily accessed by the Mass Central Railroad. It is said that an influential member of the planning board who owns land abutting the roadbed (and an alleged illegal structure upon the roadbed itself) consistently prevents this project from coming to fruition.

### **WESTFIELD**

A related situation can be found at the new Summit Lock Industrial Park in Westfield. According to the Pioneer Valley Railroad, rail access to the industrial park is being hindered by local wetland regulations inconsistent from the state's. In Westfield, it is not enough to use a culvert when crossing a wetland. A bridge must be built and railroad bridges are costly.

### **WESTFIELD**

The Pioneer Valley Railroad is currently suing the town of Westfield for its denial of the railroad's proposal to build a high-grade lumber transfer station (from trains to trucks) in an area zoned for industry. Under Westfield's industrial zoning, such a use is neither prohibited nor allowed. Lumberyards are, however, allowed in a more restrictive zone.

## EASTHAMPTON

Local rail lines have been discontinued due to a lack of an adequate industrial shipping base in this area. The Pioneer Valley Railroad is abandoning the northern end of its Easthampton line (that part which actually goes through Easthampton) because of inadequate shipping revenue. Mass Central has taken the line segment between Forest Lake Junction and Bondsville out of service because of inadequate traffic demand as well.

## BARRE

A 100 Megawatt electricity generating plant has been proposed for the town of Barre at the old Barre Woolen Mill. The plant has an appraised value of \$120,000,000, about one third of the town's current total valuation. The plant would use low-sulfur coal and state-of-the-art pollution control technology. The Mass Central Railroad would contract for hauling 40 cars of coal twice a week, and would also haul the cinders and fly ash out. It is claimed that an influential member of the Board of Health has had the singular power to cancel this project.

## BELCHERTOWN

While not specifically involving a short-line, an illustrative local case involves the efforts of the Central Vermont Railroad (CVRR) to site an automobile transfer station, first in Belchertown and then in Erving. The New England Auto-Transfer Station (NEAT) was proposed for 127 acres of land owned by the Railroad in southern Belchertown, near the Palmer border. Part of the land was zoned for business and part for agriculture. The CVRR wanted a zone change to industrial.

The NEAT would consist of a facility by which automobiles arrive from the Midwest by rail to be off-loaded and stored on the site until they are loaded onto trucks for delivery to dealers throughout the Northeast. The facility would consist of 2,576 parking places for the automobiles, 126 employee parking places, 60 spaces for trucks, several small buildings and facilities for fuel storage.

The NEAT would generate about 90 trucks a day at peak periods. The trucks would not go through Belchertown center, but would head south out of Belchertown to the



Massachusetts Turnpike. One train per day, from Port Huron, Michigan, would enter the facility. The train would consist of 40 train cars with 13-18 autos per train car.

The NEAT would provide 150-200 jobs--90 Union trucking jobs, and the rest assorted jobs at a minimum of \$8.00 per hour to start, giving hiring preference to Belchertown residents.

After pro-actively seeking citizen input, The CVRR agreed to amend its proposal. It was now willing to construct an access road that would divert traffic from both Belchertown and Palmer. It would locate the NEAT on only 50 acres of the site, deeding the rest of the 127 acres to conservation purposes. CVRR would provide their own snow-plowing and road maintenance, and not use salt for de-icing. In light of protests regarding lack of local control over site characteristics under the current zoning, CVRR proposed the creation of a new zone called "limited industrial" which would incorporate site-plan review and environmental compliance monitoring by planning and board of health officials. Fuel storage would be above ground, not underground as originally planned.

Support for the project was voiced by Congressman Silvio Conte. He cited the importance of the railroad to the economic health of New England and the local region. He also noted that since Amtrak service between Washington and Montreal operates over the Central Vermont, that the health of the railroad was important to support.

*Belchertown Sentinel* columnist Richard J. Hurley supported the project as well, claiming that more people in Belchertown were in favor than opposed, but that a vocal minority was very well organized and more likely to vote. The opposition would need only one-third of the popular vote to defeat a zone change.

Selectman Herb Squires based his support upon his observation that Belchertown has no economic base--that it is fast becoming a bedroom community dependent upon the residential property tax, and that soon it would be unable to support an adequate level of services.

Those opposed to the NEAT ultimately based their argument upon groundwater issues. It was suggested that the site might be an aquifer recharge area, and a referendum was placed on the town meeting agenda to rezone the site for greater aquifer protection, which would effectively kill the NEAT. This rezoning proposal was defeated at town meeting.

Letters to the editor voicing opposition took other tacks as well. One writer, in response to Silvio Conte's and the CVRR's economic development argument, took great offense at the implication that Belchertown is "poor" and in need of economic development. "We've come this far without it..." Another letter expressed distrust in the promises made by CVRR. "they won't keep promises--they're trying to deceive us with slick PR people from Boston". Yet another felt that once CVRR had its foot in the door, it would attempt to develop all of the vacant land abutting the railroad tracks in Belchertown. Another voiced irritation at having to wait at grade crossings while freight trains go by. "Murphy's Law" came into play..."they say its environmentally sound-- but no one expected the challenger to fail." And like a mantra, the words "Rural Character" were voiced again and again.

In June of 1988, a special town meeting was held where the CVRR's proposal to rezone its land for "limited industry" was defeated. The railroad lost two and a half million dollars and a year and a half of time in the process. Belchertown, in the long run, lost potential industrial tax revenue and did not end up protecting its aquifer recharge zone, as residential uses now occupy the site. During that same year (1988), the town budget soared to \$9 million dollars and a record number of residential building permits were issued.



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<sup>1</sup>Testimony of John H. Riley before the House Subcommittee on Transportation, Tourism, and Hazardous Materials of the Committee on Energy and Commerce, October 1, 1987, Serial Number 100-139

<sup>1</sup>Watt, William J., *The Future of Freight Railroads in the Northeast and Midwest*, Northeast-Midwest Institute, 218 D Street S.E. Washington, D.C. 20003, 1988