

**BOSTON & ALBANY
RAIL TRAIL FEASIBILITY STUDY**

For The Columbia County Board of Supervisors

In concert with
Columbia County Partners In Tourism

Prepared by the Columbia Land Conservancy
November 15, 1999

**Boston and Albany
Rail Trail Feasibility Study**

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Overview and Background

STUDY INITIATIVE

In 1961, the Columbia County Board of Supervisors approved the purchase of approximately eleven miles of the Boston and Albany (B&A) abandoned rail bed in the towns of Claverack and Ghent for inclusion in the possible expansion of the County's road system. However, with no immediate need to incorporate the rail bed into the road system, it has remained abandoned in the years since this purchase. In late 1997, the County's Department of Tourism, with the approval of the Board of Supervisors, submitted a grant application to the Hudson River Valley Greenway requesting funds to conduct a study to aid the citizens of Claverack, Ghent and the surrounding towns and villages in exploring the potential for developing a rail trail along the B&A corridor. From this application, the Hudson River Valley Greenway awarded a matching grant to the County in 1998, and the Department of Tourism requested the planning services of the Columbia Land Conservancy in the spring of 1999 to produce this feasibility study. The study has been overseen by the Columbia County Department of Tourism and Columbia County Partners in Tourism.

PURPOSE OF STUDY

The purpose of this feasibility study is to provide an inventory and analysis of the opportunities and challenges associated with the potential establishment of a rail trail along the B&A corridor from Claverack Creek (coinciding with Claverack/Greenport boundary) to its intersection with New York State Route 66 in the Town of Ghent (See attached study map).

To achieve this purpose, the study (utilizing a map of the corridor):

1. Depicts and discusses an array of opportunities and challenges that exist with respect to the potential development of a rail trail along one or more sections of the B&A corridor;

2. Highlights a series of possible rail bed segments, loops and extensions that could be developed into a series of trails; and
3. Provides additional information regarding the design and development of a potential rail trail system (See attached Supplement).

TOOLS FOR STUDY

To discuss the issues and provide the information stated above, this study utilizes information from:

- a. a computerized mapping system (GIS) that overlays tax parcels with land use and aerial photograph information; and
- b. a computerized Global Positioning System (GPS) that, via satellite, pinpoints key opportunities and important challenges found along the rail corridor and allows for the accurate transfer of the location of these points onto the GIS map.

HISTORY OF THE BOSTON & ALBANY RAIL LINE

The rail line running from Hudson to Chatham has over 150 years of history behind it. Commonly referred to as the Boston and Albany (B&A), the line underwent a series of mergers, consolidations, and name changes before being acquired by the New York Central Railroad Company in 1900.

The State of New York first chartered The Hudson and Berkshire Railroad Company to lay 17.3 miles of track from Hudson to Chatham in the early 1830's. The line was completed and the first train ran in September 1838 making it one of the earliest railroads operating in Columbia County. In 1848 the line was sold to the Western Railroad Corporation of Massachusetts by the State of New York and in 1854 was reorganized as the Hudson and Boston Railroad. This railroad later became part of the B&A Railroad, the name by which it is known today.

Originally, the line was conceived as a means of providing a direct route from the ore beds and marble- quarries of the Berkshires to New York City-bound barges on the Hudson River. The line also provided passenger service between Chatham and Hudson with four daily trains. With the rise of the automobile and construction of major roads in the region such as the Taconic State Parkway, trains were no longer considered a time-efficient means of transportation in the county. As a result, passenger service on the line was eventually dropped in the late 1950's. Shortly thereafter, the rails between Ghent and Claverack were removed leaving the rail bed as it exists today.

Approximately eleven miles of the original seventeen-mile B&A rail corridor were purchased by Columbia County in 1961 for inclusion in the possible expansion of the County's road system. In the years following this rail bed purchase, while considering the expansion of the certain County roads, the County government leased portions of the rail bed to dozens of adjacent landowners for private use. Subsequently, seven individual landowners in the Town of Claverack have purchased seven sections totaling 2.5 miles of the rail bed adjoining their respective lands. In spite of these purchases, approximately 78% of the rail bed between Claverack Creek and Ghent Center is still owned by the County today.

B&A Corridor Inventory and Analysis

THE OPPORTUNITIES

The B&A abandoned rail corridor contains many opportunities associated with the establishment of a potential rail trail through Claverack and Ghent (See accompanying map).

1. Recreation

As demonstrated both within the Hudson Valley and elsewhere across the state and nation, the development of a rail trail can provide a linear recreational corridor for local residents by connecting densely populated communities to public spaces and facilities. The B&A rail corridor runs through the hamlets of Claverack and Mellenville, terminates at Ghent Center, and is in close proximity to the Villages of Philmont (Pop. 2000- within 0.6 miles) and Chatham (Pop. 2000- within 1.7 miles). This proximity could allow a large population of local residents quick and easy access to such a potential trail. In such a recreation corridor, people could enjoy such activities as walking, biking, jogging, and cross-country skiing away from the hazards of rural roads; activities that, according to the national Rails-to-Trails Conservancy, have dramatically increased in recent years.

A rail trail along the B&A corridor also can provide links to existing recreational facilities both in the Towns of Claverack and Ghent and in the nearby villages, thus providing more ways for residents to access these facilities. The potential increase in the use of such facilities by residents and visitors alike, could, in turn, enhance tourism and support local economic development (see below #3- Economics). The study map depicts several such recreational facilities that are located on or could be linked to a potential rail trail, including:

- Fishing access points (5) (on streams stocked by the NYS DEC);
- Golf Courses (1);

- Town Recreation Parks (4);
- The Proposed Harlem Valley Rail Trail; and
- The Chatham Fairgrounds.

2. Education

Development of rail trails can provide educational opportunities for both children and adults. Schools in the Columbia County region could utilize the abundance of creeks and mature woodlands found along the B&A rail corridor to learn about and study wildlife, water quality and ecology. Families could enjoy a trail designed with interpretive exhibits and special interest points that explain the natural processes occurring along the corridor, as well as the history and current operations of adjacent farms that can be seen from the rail corridor. Should such a trail be promoted as a tourist attraction, such exhibits would enhance user experience and further attract visitors to the County. If the rail trail were established, the design and development of educational exhibits, maps and materials could be implemented with possible technical and financial assistance from the Hudson River Valley Greenway, which now administers the National Heritage Areas program in the Hudson Valley.

The study map depicts the location of several schools near the study corridor. In addition, the map shows:

- Creeks and Ponds (in blue);
- Woodlands (in light green); and
- Farmlands and Fields (in yellow).

3. Economics

There are several economic opportunities associated with the development of a rail trail for individuals, local businesses and the communities as a whole located along or near this abandoned rail corridor. They include potential increases in:

A. Real Property Values- Two studies, the *Evaluation of the Burke-Gilman Trail's Effect on Property Values and Crime* (Seattle Office of Planning, 1987) and *The Impacts of Rail-Trails: A Study of Users and Nearby Property Owners from Three Trails* (National Park Service, 1992), have shown that the amenity values of rail trails have not only helped to maintain property values of adjacent or nearby homes and properties, but in some cases, have increased the value of such nearby properties. (See Supplement A- for facts and references). The map depicts approximately 175 tax parcels adjacent to the B&A corridor, the owners of which (it seems), given people's past experiences along these and other rail trails, could benefit from the establishment of a rail trail.

B. Economic Development- If a rail trail is established along the B&A corridor, its use by County residents and visitors can help support recreation-oriented businesses and employment, including inns, farm markets, food service establishments, bike shops, and local convenience stores. This has been the case along many rail trails. The National Park Service study cited above also has shown that rail trail users of the three trails spent an average of over \$1 million annually on such businesses and services, and that as much as half of that revenue was "new money" brought into those counties by trail visitors from outside of the counties (See Supplement A- for facts and references).

The study map depicts the location of several existing commercial operations adjacent to or nearby the B&A corridor, including:

- Inns/B&Bs (4);
- Farm and Garden Markets (7); and
- Business districts containing one or more restaurants (4).

(See Supplement B- for complete listing of names and locations)

C. Local Tourism- The County Board of Supervisors, in concert with the Columbia Hudson Partnership, and the County's Chamber of Commerce, Tourism Development Council and Department of Tourism, created a Tourism Development Strategy for Columbia County in 1997. This strategy focused on establishing a clear direction and organizational structure for developing a strong tourism industry in the County to support the diversification and growth of Columbia County's economy.

One of the strategy's goals relevant to the potential establishment of a rail trail was to create a framework to help the people of the County develop local projects that:

- promote local economic growth while maintaining the special "character of place" by highlighting natural assets and architectural treasures;
- encourage appropriate development opportunities for land use and economic growth;
- enhance local quality-of-life for residents; and
- encourage vitality of local businesses.

Rail trails often help communities to further develop their character of place and quality of life while attracting local residents and visitors year round, which, in turn, encourages the vitality of local businesses as well as other attractions in the region.

4. Community Pride/Identity

Rail trails can be an excellent source for stronger community relations. They are sometimes called the “linear commons” of a community in that they can benefit residents along a rail trail corridor by unifying that community physically, socially, and economically. An established rail trail along the B&A corridor can link neighbors and neighborhoods together, providing a safer rural landscape, as can be the case with the “neighborhood watch” groups in more urban neighborhoods.

As identified in some of County’s goals for tourism, a rail trail can increase both the character of place and the quality of life in communities via this linear connection. This character and quality of life can, in turn, attract corporate businesses and industries that are opening new facilities to move into the area, thereby potentially increasing a town’s tax base. A rail trail also can be utilized in conjunction with, or linked to, community and cultural centers in the hamlets and villages. Many rail trails across the nation are used for community events, such as races and fundraisers.

The study map depicts the location of:

- Cultural & Community Centers (3).

THE CHALLENGES

While containing a number of opportunities for the establishment of a rail trail, the B&A abandoned rail corridor also contains several challenges associated with a potential rail trail through the Towns of Claverack and Ghent.

1. Infrastructure Costs

The costs associated with the establishment of a rail trail along the B&A corridor would require a dedicated funding source. The New York State Department of Transportation administers a matching federal funding program called TEA-21 (Transportation Efficiency Act- 21st Century) that provides up to 80% of the funding necessary for the development of rail trails, including related infrastructure costs, and other transportation enhancement projects throughout the state. The 20% local match can be a combination of donated materials and labor, other non-federal grants, and cash.

Infrastructure costs will vary with the age of an abandoned rail bed and the most recent uses (See #3 below- Multiple Uses). The B&A rail bed contains several stream crossings, some that may require bridge or culvert replacements or repairs. At these points, such costs will be higher. In the few places where past and current uses (e.g. dumping, construction or natural erosion) have eliminated or degraded the original rail embankment, basic infrastructure costs will also become elevated to replace or stabilize the embankment.

The study map depicts the location of major stream crossings and structures found on the B&A rail bed. These include:

- Stream Crossings in the Town of Ghent (3);
- Stream Crossings in the Town of Claverack (4); and
- Farm structures on County-owned Rail Bed (1).

2. Design and Development Costs

Rail trails vary from community to community. The costs of designing and developing a rail trail along any section of the B&A corridor would depend on a variety of factors. One of the first and most primary of all factors, which also determines some uses, is the type of surfacing. Some existing surfaces can be left almost "as is" for certain trails. This is the case of the Bog Meadow Rail Trail recently established in Saratoga County, which was created with very little cost. If surfacing a rail trail is necessary, doing so with materials such as crushed blue stone would be less costly than asphalt, but more limiting for certain uses such as bicycling or in-line skating. (See Supplement C- for facts and photographs). Other factors that affect the design and development costs of rail trails include the:

- Number of road crossings (which need signs, bollards, and safe crossings);
- Signage along the rail trail;
- Amount of trail amenities (e.g. benches, trash receptacles, interpretive exhibits, etc.); and
- Extent of parking areas installed along such a rail trail.

The map depicts a total of ten road crossings with the abandoned B&A rail bed, including:

- Four town road crossings in the Town of Ghent; and
- Two town road crossings, one County road crossing (at County Route 9), and three State road crossings (two at NYS Route 217 and one at NYS Route 9H) in the Town of Claverack.

Certain portions of the B&A corridor could be developed into a rail trail fairly easily with limited treatment of the existing surface and the construction of only the facilities necessary to maintain a safe trail (See below-Possible Rail Trail Segments). The rail trail then could be more fully developed in phases over a period of months or years to allow for more uses, parking and trail amenities as desired.

3. Multiple Uses

A. Traditional Uses- including farming and hunting, in rural Columbia County can pose a potential challenge to the establishment of a rail trail. If a rail trail is established, farmers will still need to access their fields across various portions of the abandoned B&A rail bed. In addition, one or more segments of the rail bed have been put under production for crops, and sportsmen have traditionally used the woodlands and fields adjoining the B&A to hunt for game.

If a rail trail were established, it could be developed to balance the traditional rural uses with newer recreational uses. The Harlem Valley Rail Trail in southern Columbia and Dutchess Counties allows for farmers to cross between farm fields and for signage that notifies trail users that there could be cross-fire over the trail during hunting season. In addition, signs could be erected near hunting or shooting preserves along the B&A that warn trail users of such activities nearby. The study map depicts the locations of several:

- Farm Crossings.

B. Road Crossings- are another potential challenge where an established rail trail intersects with high-speed roads, especially when the roads contain curves that allow for little or no visibility from the crossing. In most cases, the potentially hazardous crossings along the B&A could be mitigated through certain design considerations. Possibilities include: the use of offset crossings to increase sight distance; cross walks and/or stop lights to warn highway vehicles; and pedestrian bridges. The study map depict the locations of:

- Potentially Hazardous Road Crossings (3) (along State Highways in the Town of Claverack).

C. Public/Private Ownership of Rail Bed- represents a third potential challenge for the establishment of a rail trail. In the Town of Claverack, seven segments, totaling approximately 2 ½ miles and 22% of the entire abandoned corridor, have been sold to private landowners (See Supplement D- for tax parcel information). This represents approximately 40% of the abandoned rail bed in the Town of Claverack. The rail bed in the Town of Ghent is 100% owned by the County (an inventory of currently leased segments of the rail bed, if any, was not part of this study).

Private ownership remains a challenge for all rail trails, for it is the decision of these landowners as to whether they would be interested in selling back the land or granting a right-of-way for such a trail.

Similarly, existing structures on County-owned portions of the rail bed pose a challenge. In these cases, the County could pay for the relocation of these structures or, if this option is not feasible, a right-of-way could provide the means to bypass such structures.

The study map depicts the public/private ownership patterns along the abandoned B&A rail corridor as follows:

- County-owned Segments of Rail Bed (in green);
- Privately-owned Segments of Rail Bed (in red); and
- Farm structures on County-owned Rail Bed (1).

Note: Although not considered part of the inventory of challenges, the issues of potential landowner liability and concerns about crime and safety are important considerations and are discussed later in this report (See below- Other Landowner Concerns).

Possible Rail Trail Segments, Connecting Loops and Extensions

MOST FEASIBLE RAIL TRAIL SEGMENTS

It is possible that the entire B&A rail corridor could be developed as a rail trail over time; however, given the opportunities and challenges summarized above, certain segments are more feasible than others, at least in the short-term (two to five years). Below is a summary of two key rail bed segments that, at this time, appear to provide the greatest opportunity for development into a rail trail, given the following criteria (considered together as a whole):

- Require the least infrastructure and development costs per mile;
- Safest for rail trail users (e.g. away from major roads);
- Contain little or no multiple uses to resolve; and
- Most accessible to the greatest number of people.

The segments are as follows:

1. **Ghent Center to Arch Bridge Road, Town of Ghent (3.5 miles)**
NYS Route 66 in Ghent south to Arch Bridge Road
2. **Claverack Center to Courts Lane (1.5 miles)**
NYS Route 9H in Claverack east to Courts Lane

Each of these two sections of the B&A abandoned rail bed contains some of the best opportunities with the least amount of challenges as follows.

- Rail bed 100% County-owned so there would be no potential private ownership conflicts
- Rail bed begins in a populated area (Ghent/Claverack Centers). This could allow for:
 - easy access by many people;
 - a number of economic benefits (see page 4 above); and
 - connections to nearby parks and community/cultural centers.
- No existing structures on rail bed
- Little or no potential hazardous crossings
 - Ghent Segment- three road crossings- all town roads.
 - Claverack Segment- zero road crossings.
- Rail bed runs through pristine woodlands and over creeks. This could allow for:
 - additional fishing access points
 - educational programming for nearby schools
 - a variety of recreational opportunities away from roads
- Rail bed runs past farms with a minimum of farm crossings allowing for safe viewing and possible interpretation without the hazards of crossings over the rail bed

(See Supplement E- for a detailed description of these segments)

CONNECTIONS AND LOOPS

Potential B&A rail trail segments, if established, can be extended and/or linked to various points of interest and allow for one or more complete loops for potential trail users. These connections and loops can be established via existing roads and other trails. Below is a summary of several possible connections and loops that could be established in conjunction with a potential B&A rail trail.

Ghent Segment Connections (3)

The Columbia Land Conservancy is working closely with the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) to establish the proposed Harlem Valley Rail Trail. OPRHP is the lead agency responsible for meeting State Department of Transportation requirements that, when completed, will enable OPRHP to utilize a matching grant through the Intermodal Surface Transportation Efficiency Act (ISTEA, now TEA-21) of almost \$1 million in acquisition funds to purchase, from

willing landowners, privately-owned rail bed segments for the Proposed Harlem Valley Rail Trail.

One such segment of the proposed Harlem Valley Rail Trail parallels the B&A rail corridor in Ghent (See Study Map). The three following connections to a potential B&A rail trail along town roads would allow for the creation of several complete loops in conjunction with the proposed Harlem Valley Rail Trail (HVRT).

1. Konig Road- 0.5 miles between the B&A and HVRT.

Using both potential rail trails, this short connection would allow for a complete loop of 1.8 miles beginning and ending at Ghent Center.

2. Tice Hill Road- 0.5 miles between the B&A and HVRT.

Using both potential rail trails, this short connection would allow for a complete loop of 3.7 miles beginning and ending at Ghent Center.

3. Arch Bridge Road- 1.2 miles between the B&A and HVRT.

Using both potential rail trails, this third town road connection would allow for additional loops between the above roads and a complete loop of 7.9 miles beginning and ending at Ghent Center.

Claverack Segment Connections (3) The area surrounding Claverack Center contains many interest points, including several farm and garden markets, fishing access points and commercial establishments. The following connections from the B&A would enable users of a potential rail trail to more easily access these points of interest and also provide a complete loop for such users.

1. Courts Lane south to NYS Route 23- 1 mile

This connection would highlight access to the fishing access point at Red Mills;

2. Courts Lane south to NYS Route 23 to NYS Route 9H in Claverack Center- 1.9 miles

This connection would allow for a complete loop of 3.4 miles beginning and ending in Claverack Center. The loop would include easy access to several points of interest.

3. State Route 217 (Mellenville) east to Philmont- 0.6 miles

This connection would highlight access to the Village's many amenities, including parks, fishing access points, and commercial operations on Main Street.

OTHER LANDOWNER CONCERNS

Residential landowners, including landowners located adjacent to the abandoned rail bed, or those who privately own a segment of it, may raise concerns about loss of privacy, safety, and crime. These important issues have been studied on a statewide and national level through surveys and research.

1. Crime

As documented again and again in case studies of rail trails, especially in rural areas, the fear of increased crime or littering in one's neighborhood are not realized when a trail is completed. One study, the *Evaluation of the Burke-Gilman Trail's Effect on Property Values and Crime*, (Seattle Planning Dept., 1987) found that the trail had, over its eight-year existence, "little, if any, effect on crime and vandalism" for neighboring landowners. Seattle police stated that there was "not a greater incidence of burglaries and vandalism of homes" along the 12-mile Burke-Gilman Rail Trail. Similarly, in a 1998 study entitled *Rail Trails and Safe Communities*, the Rails-to-Trails Conservancy documented that the rates for all types of crime on over 370 trails totaling 7000 miles were lower than the average normally found in those same rural and suburban areas (See Supplement F- for facts and references).

Studies of privacy and quality of life issues on existing rail trails were similar in nature. Several adjacent landowners to the proposed Burke-Gilman Rail Trail wanted to move for fear of loss of privacy as well as concerns about increased crime and vandalism. Eight years later, the Burke-Gilman study found that not a single resident surveyed said that "conditions were worse than prior to construction of the trail," and not a single resident felt that the trail should be closed. The National Park Service, in a 1992 study entitled *The Impacts of Rail-Trails: A Study of the Users and Property Owners From Three Trails*, observed that the majority of owners from these three rail trails totaling over 50 miles reported that there had been no increase in problems since those trails had been established. In addition, property owners considered living near the trails better than living near the unused railroad lines before the trails were constructed.

Potential privacy and safety concerns can be addressed through careful planning and design of the trail, including the use of vegetative buffers near residences, lighting at trailheads, paid and volunteer safety patrols, emergency phone boxes at key points along the trail, and well-designed trailheads that effectively prevent the use of unauthorized motor vehicles.

While all crime cannot be eliminated from all places, and all privacy issues fully abated, research has shown that the establishment of rail trails in rural communities does not degrade, but rather increases the overall quality of life for nearby residents.

2. Liability

Liability is sometimes another concern associated with the establishment of a rail trail, both for the governmental entity owning and/or managing the rail trail and for the abutting landowners. This discussion should be prefaced with the fact that, according to the Greenway Conservancy for the Hudson River Valley, Inc., very few trail-related lawsuits have occurred in New York State. In addition, the New York/New Jersey Trail Conference and the Finger Lakes Trails Conference, which together, manage over 1,700 miles of trails, have never experienced a trail-related lawsuit (*Hudson River Valley Greenway Trails: Getting Started- A Guide to Organizing & Planning*, 1996) (See Supplement G- for facts and references).

Governmental entities that own or manage a rail trail facility are normally covered by their existing liability insurance policies, and in adding another "linear park" in the form of a rail trail, seldom experience any rate increase for the policy.

Private landowners abutting an established rail trail also are protected through their homeowners liability insurance policies. In addition, recent case law has indicated that both landowners and their insurance companies are further protected under Section 9-103 of the New York State General Obligations Law (GOL).

Section 9-103 of the GOL was established to encourage landowners to open up their land to the public for certain specified recreational uses, including those often used on rail trails (e.g. fishing, hiking, cross-country skiing, and bicycling), by indemnifying these landowners from liability. The law applies to landowners whether they grant permission for use of their property or not, as long as the landowner does not receive a fee for this use of his or her property. Farms are covered by special provision of the law, which provides that whether or not the farm is posted, the farmer owes no duty to keep the farm safe for use by persons entering the property without permission. The law does not, however, protect landowners for injuries caused by gross negligence or willful or malicious intent to harm those entering their property (See Supplement G- for facts and references).

While municipalities and residents may have legitimate concerns over their liability, today's insurance policies for both towns and individuals often cover the conditions over which people raise their concerns. In addition, the General Obligations Law provides additional protection for landowners that allow for rail trail uses on or adjacent to such lands.

Boston and Albany Rail Trail Feasibility Study

LIST OF SUPPLEMENTS

- A. ECONOMIC IMPACTS OF RAIL TRAILS:
Annotated List of Publications and Contacts
- B. POINTS OF INTEREST:
Names and Locations Identified on Map
- C. TRAIL DESIGN CONSIDERATIONS:
Photographs and Publications
- D. B&A TAX PARCELS:
For Privately-owned Portion of Rail Bed
- E. FEASIBLE RAIL TRAIL SEGMENTS:
Detailed Descriptions
- F. CRIME ON RAIL TRAILS:
Annotated List of Publications and Contacts
- G. LANDOWNER LIABILITY ON RAIL TRAILS:
Facts and References
- H. OTHER TRAIL STUDIES AND GUIDES:
Publications and Contacts
- I. RAIL TRAILS IN THE HUDSON VALLEY:
An Annotated List with Contacts

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ECONOMIC IMPACTS OF RAIL TRAILS
Annotated List of Publications and Contacts

- Economic Impacts of Protecting Rivers, Trails, and Greenway Corridors: A Resource Book. National Park Service, Rivers, Trails and Conservation Assistance. 1992, Third Edition.

Contact: National Park Service, Recreation Resource Assistance Division,
Box 37127, Washington, DC 20013-7127, (202) 343-3780.

This publication addresses several issues related to economic development and trails in communities, including real property values, expenditures by residents, commercial uses, tourism, agency expenditures, corporate relocation and retention, public cost reduction, and estimation of economic benefits.

- Evaluation of the Burke-Gilman Trail's Effect on Property Values and Crime. Seattle Engineering Department, Office for Planning. May 1987.

The purpose of this study was to determine what effects, if any, the 12-mile trail had on property values and crime affecting property near or adjacent to the trail and to evaluate its public acceptance. The trail, constructed in 1978, follows an abandoned railroad right-of-way adjacent to over 600 individually owned properties.

- The Effects of Greenways on Property Values and Public Safety. Leslee T. Alexander for the Conservation Fund and Colorado State Parks, State Trails Program, 1994.

Contact: Colorado State Trails Program, 1313 Sherman Street, Room 618
Denver, Colorado 80203, (303) 866-3437

This study of trails in the Denver-metro area included surveys of real estate agents, police officers, and residents living adjacent to three different greenway projects.

- The Impacts of Rail-Trails: A Study of Users and Nearby Property Owners from Three Trails. U.S. Dept. of the Interior, National Park Service, River & Trails Conservation Program, (in cooperation with The Pennsylvania State University), February, 1992.

Contact: National Park Service, Recreation Resource Assistance Division,
Box 37127, Washington, DC 20013-7127, (202) 343-3780.

This comprehensive survey details the wide range of benefits of rail trails. The study of trail users and adjacent landowners provides valuable information about the profiles of trail users, economic impacts of trails, and landowners' attitudes, level of satisfaction and any problems they experienced. The executive summary is available through the National Park Service at the address above. The full study is available through Superintendent of Documents, U.S. Government Printing Office, Washington, DC. 20402.

POINTS OF INTEREST
Names and Locations Identified on Map*

Farm Markets

Claverack

HolmQuest Farm
Hotaling's Farm Market
Philip Orchards
Roxbury Organic Farm
Short Cake Farms

Hillsdale

Hawthorne Valley Farm

Inns, Hotels, and Bed and Breakfasts

Claverack

Elm Tree Motel
Martindale Inn B&B
Wagon Way B&B
Yorkshire Motel

Ghent

Wolfes' Inn

Village of Chatham

Rose Hill B&B

Restaurants

Claverack

Keeler's Eskimo Bar
Yorkshire Farms Restaurant

Ghent

White Stone Café
Dairy Queen-Braizer
Shuey's II

Philmont

LaGonia's Pizza
High Falls Café
Vanderbilt Inn

Village of Chatham

The Bagel Café
Blue Plate Restaurant
Chatham Bakery & Coffee Shoppe
Chatham Market Place
Filbert and Bean's Café
La Bella Pizza & Pasta
Pizza Den
The Summit Café
Village Restaurant

Cultural Centers

Ghent

Columbia Civic Players (Ghent Playhouse)
Ghent Band (VFW Hall)

Village of Chatham

Mac-Hayden Theatre

*(Identified from the 1999 Columbia County Travel Guide, Columbia County Tourism)

TRAIL DESIGN CONSIDERATIONS
Photographs and Publications*

- Design and Maintenance Guidelines for Hard Surface Trails. Ed McBrayer, the PATH Foundation, 1993.

Contact: PATH Foundation, P.O. Box 14327, Atlanta, Georgia 30324,
(404) 355-6438

This comprehensive guide for the design and maintenance of trails includes information on surfaces, bicycle facilities, bridges, signage and other amenities.

- Design Guide for Accessible Outdoor Recreation. National Park Service.

Contact: National Park Service, Recreation Resource Assistance Division,
Box 37127, Washington, DC 20013-7127, (202) 619-7025.

This guide offers a comprehensive set of guidelines to make recreational facilities and trails accessible to individuals of all abilities, including those in wheelchairs.

- Genesee Valley Greenway: Guidelines for Action. New York Parks and Conservation Association and River, Trails and Conservation Assistance Program of the National Park Service.

Contact: New York Parks and Conservation Association, (518) 434-1583

This 26-page handbook addresses multi-use trail development issues with particularly informative appendices on the design of signs, barriers and bridges.

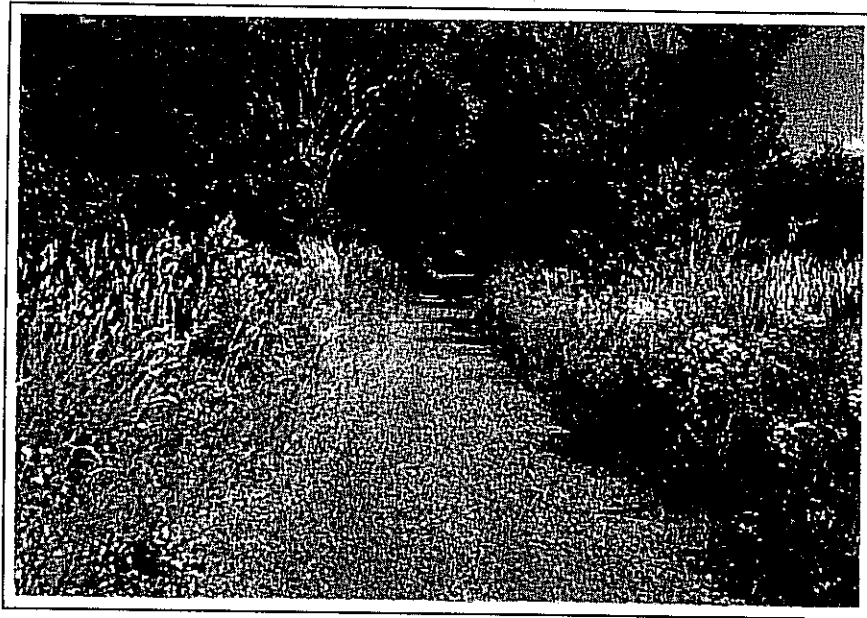
- Signs, Trail, and Wayside Exhibits. Suzanne Trapp, Michael Gross, and Ron Zimmerman, Interpreter's Handbook Series, 1992.

Contact: Michael Gross, College of Natural Resources, University of Wisconsin,
Stevens Point, Wisconsin 54481, (715) 346-2076

This guide offers advice on how to design trails that are interesting, beautiful and educational. A variety of interpretive techniques, including signs, brochures and guided walks are discussed with numerous examples and practical tips.

**(Identified from Hudson River Valley Greenway Trails: Getting Started, 1996)*

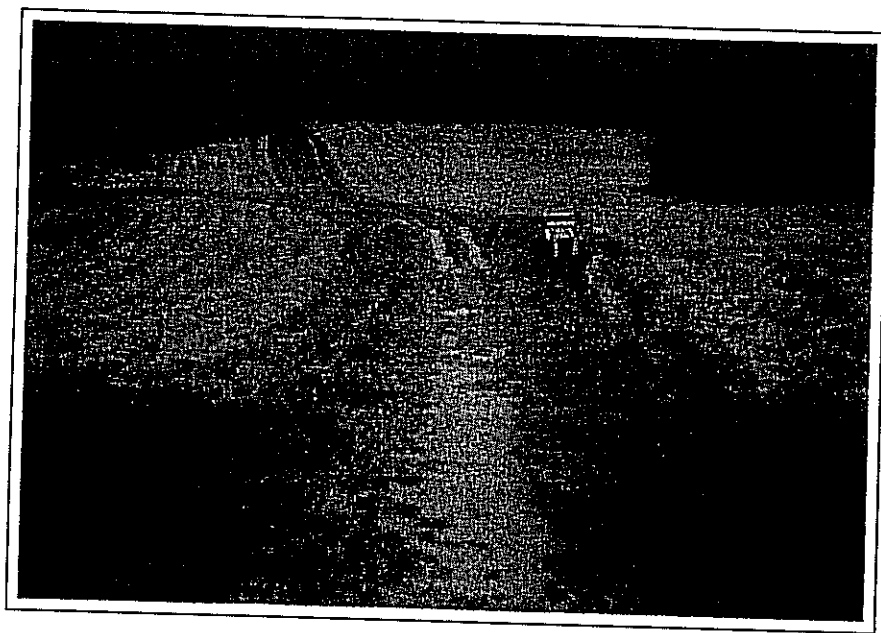
TRAIL SURFACES



An example of modified item #4, found on the Delaware County Rail Trail; Stamford, New York. This surface contributes to retaining the rural character of the trail, but can also require moderate maintenance, as seen by the encroaching vegetation.

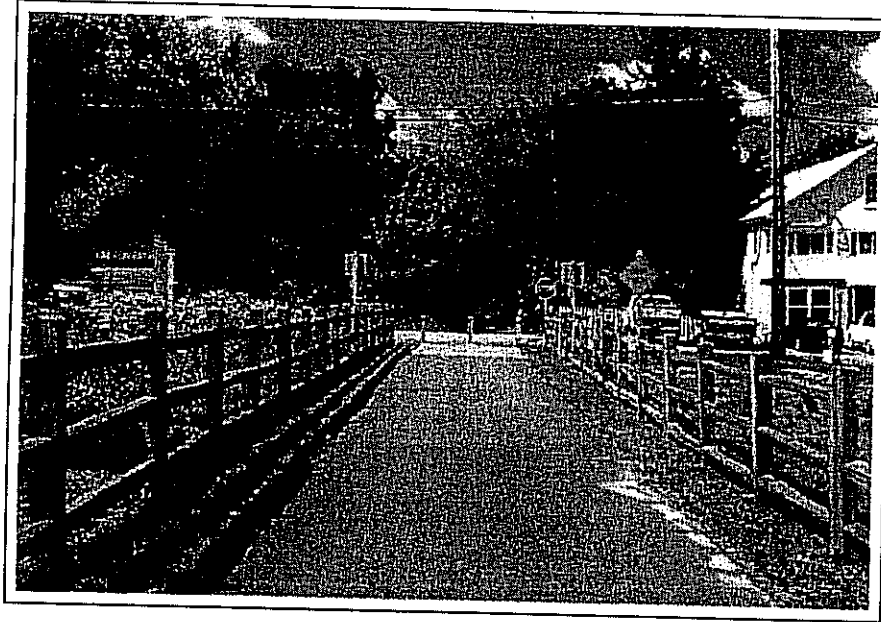


Another choice of a trail surface is asphalt, as seen at the Harlem Valley Rail Trail; Amenia, New York. This surface is appropriate for popular multi-use trails, and requires little maintenance.

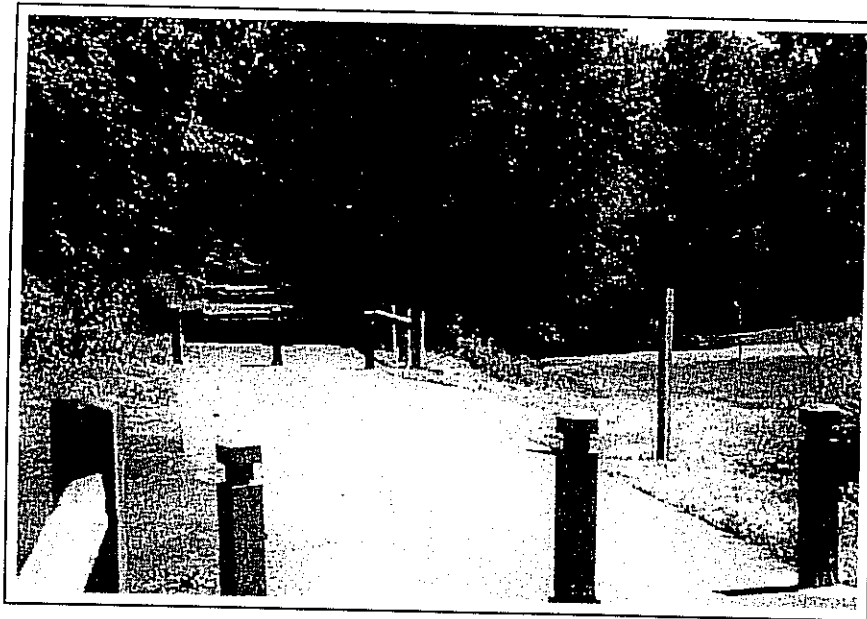


Heavily used natural trails require more maintenance to counteract erosion, as seen above at Poet's Walk; Red Hook, New York.

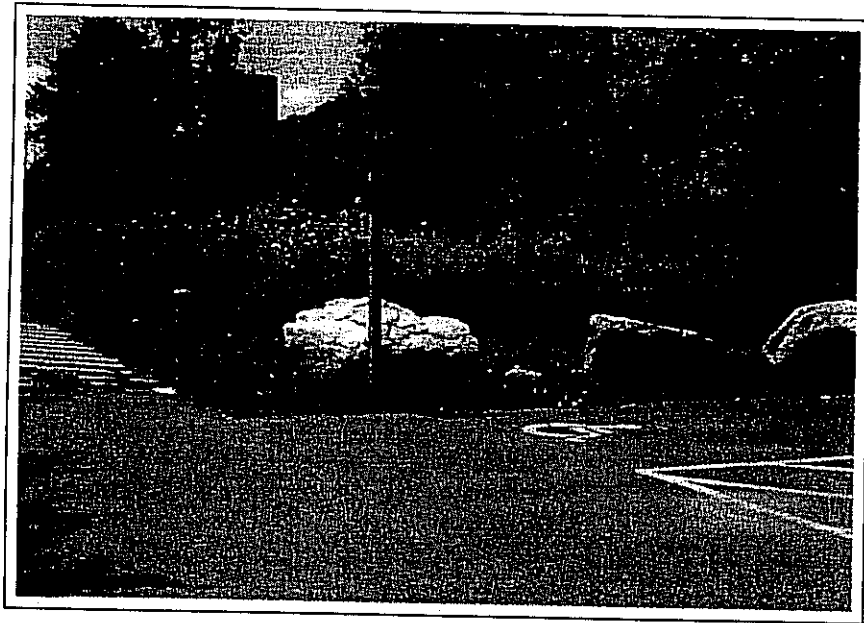
TRAIL AESTHETICS



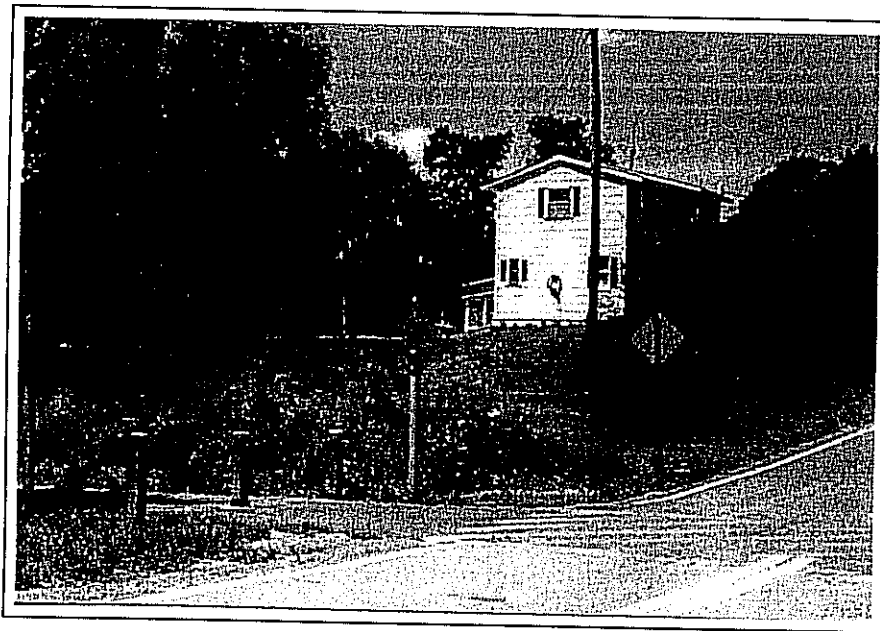
Fencing can be used both as a deterrent from wandering off the trail as well as being aesthetically pleasing. Shown here at the Depot Road trail head of Harlem Valley Rail Trail in Amenia, private property is protected by the fences.



Construction of barriers and proper signing also help the issue of the privacy of neighboring property owners. (Amenia, NY)



Here in Amenia, Sharon Station Road, is an example of the handicap accessible parking and trail head. Signs are used to inform the accepted uses of the trail. (e.g. 'No Motor Vehicles')



An example of a striped crossing, barriers, signs and markers to ensure that only the acceptable users gain access to the trail. (Amenia; Sharon Station Road)

B&A TAX PARCELS
For Privately-owned Portion of Rail Bed

Below is a list of the seven separately owned tax parcels comprising approximately 2.5 miles of the abandoned B&A rail bed (all within the Town of Claverack).

1. 112.2-01-42
2. 120-01-03
3. 121.3-01-39.1
4. 121.3-01-39.2
5. portion of 122-01-08 (immediately west of Roxbury Road)
6. portion of 122-01-08 (immediately east of Roxbury Road)
7. portion of 122-01-08 (east of Roxbury Road along State Route 217)

FEASIBLE RAIL TRAIL SEGMENTS
Detailed Descriptions

The following contains the description for the most feasible rail trail segment in the Towns of Ghent and Claverack.

Ghent Center to Arch Bridge Road (Ghent)- 3.5-miles

A. NYS Route 66 to Konig Road- ½ mile

This portion of the rail bed begins behind the VFW in Ghent Center and runs through a forested area past ponds, a small creek and several homes. It is situated behind several residential properties fronting on New York State Route 66.

B. Konig Road to Tice Hill Road- 1 mile

From just north of Konig Road the rail bed runs adjacent to County Route 9 to its east, passing a woodland, a cemetery and one residence.

C. Tice Hill Road to Arch Bridge Road- 2 miles

From Tice Hill Road, the rail bed continues south through woodlands, over two creeks, under high-tension power lines, and past several farm fields until it intersects with Arch Bridge Road.

As described in the main body of this study, these three segments can provide several complete loops with intersecting town roads and the proposed Harlem Valley Rail Trail (see study map).

Claverack Center to Courts Lane (Claverack)- 1.5-miles

This portion of the rail bed begins at New York State Route 9H and immediately heads east past several residential and/or commercial properties. The rail bed then runs north and east through woodlands for nearly a mile, passing over a creek. The eastern portion of this segment runs east past several farm fields until its intersection with Courts Lane.

Also as described in the main body of this study, this segment could be connected to various points of interest in the Town of Claverack along town and state roads (see study map).

CRIME ON RAIL TRAILS
Annotated List of Publications and Contacts*

- American Greenways Fact Sheet #4: Crime and Vandalism. The Conservation Fund.

Contact: The American Greenways Program, 1800 North Kent Street,
Suite 1120, Arlington, Virginia 22209 (703) 525-6300 (free).

This one page fact sheet cites research evidence in a clear and concise manner to help allay landowners' concerns that trail users may cause them problems..

- Evaluation of the Burke-Gilman Trail's Effect on Property Values and Crime. Seattle Engineering Department, Office for Planning. May 1987.

The purpose of this study was to determine what effects, if any, the 12-mile trail had on property values and crime affecting property near or adjacent to the trail and to evaluate its public acceptance. The trail, constructed in 1978, follows an abandoned railroad right-of-way adjacent to over 600 individually owned properties.

- The Effects of Greenways on Property Values and Public Safety. Leslee T. Alexander for the Conservation Fund and Colorado State Parks, State Trails Program, 1994.

Contact: Colorado State Trails Program, 1313 Sherman Street, Room 618
Denver, Colorado 80203 (303) 866-3437

This study of trail in the Denver-metro area included surveys of real estate agents, police officers, and residents living adjacent to three different greenway projects.

- The Impacts of Rail-Trails: A Study of Users and Nearby Property Owners from Three Trails. U.S. Dept. of the Interior, National Park Service, River & Trails Conservation Program, (in cooperation with The Pennsylvania State University), February, 1992.

Contact: National Park Service, Recreation Resource Assistance Division,
Box 37127, Washington, DC 20013-7127 (202) 343-3780.

This comprehensive survey details the wide range of benefits of rail trails. The study of trail users and adjacent landowners provides valuable information about the profiles of trail users, economic impacts of trails, and landowners' attitudes, level of satisfaction and any problems they experienced. The executive summary is available through the National Park Service at the address above. The full study is available through Superintendent of Documents, U.S. Government Printing Office, Washington, DC. 20402.

- Rail Trails and Safe Communities: The Experience on 372 Trails. Rails-to-Trails Conservancy and National Park Service Rivers, Trails, and Conservation Assistance Program.

Contact: Rails-to-Trails Conservancy, 1100 Seventeenth Street, NW,
Washington, DC 20036, (202) 331-9696.

This report was conducted by the Rails-to-Trails Conservancy to document the extent of crime on rail trails and review such crime in a broader perspective. It includes a comparison of the amount of minor and major crimes found on 372 rural and urban rail trails versus similar types of crimes in other rural and urban areas outside of rail trails.

**(The majority of which were identified from Hudson River Valley Greenway Trails: Getting Started, 1996)*

LANDOWNER LIABILITY ON RAIL TRAILS
Facts and References

New York State General Obligations Law (G.O.L.)

The following contains the section of the New York State Obligations Law that, in addition to landowner insurance policies, may provide further protection to landowners adjacent to a rail trail.

G.O.L. Section 9-103.

No duty to keep premises safe for certain uses; responsibility for acts of such users.

1. Except as provided in subdivision two,
 - a. an owner, lessee or occupant of premises, whether or not posted as provided in section 11-2111 of the environmental conservation law, owes no duty to keep the premises safe for entry or use by others for hunting, fishing, organized gleanings as defined in section seventy-one of the agriculture and markets law, canoeing, boating, trapping, hiking, cross-country skiing, tobogganing, sledding, speleological activities, horseback riding, bicycle riding, hang gliding, motorized vehicle operation for recreational purposes, snowmobile operation, cutting or gathering of wood for non-commercial purposes or training of dogs, or to give warning of any hazardous condition or use of or structure or activity on such premises to persons entering for such purposes;
 - b. an owner, lessee or occupant of premises who gives permission to another to pursue any such activities upon such premises does not thereby (1) extend any assurance that the premises are safe for such purpose, or (2) constitute the person to whom permission is granted an invitee to whom a duty of care is owed, or (3) assume responsibility for or incur liability for any injury to person or property caused by any act of persons to whom the permission is granted.
 - c. an owner, lessee or occupant of a farm, as defined in section six hundred seventy-one of the labor law, whether or not posted as provided in section 11-2111 of the environmental conservation law, owes no duty to keep such farm safe for entry or use by a person who enters or remains in or upon such farm without consent or privilege, or to give warning of any hazardous condition or use of structure or activity on such farm to persons so entering or remaining. This shall not be interpreted, or construed, as a limit on liability for acts of gross negligence in addition to those other acts referred to in subdivision two of this section.
2. This section does not limit the liability which would otherwise exist
 - a. for willful or malicious failure to guard, or to warn against, a dangerous condition, use, structure or activity; or,

b. for injury suffered in any case where permission to pursue any of the activities enumerated in this section was granted for a consideration other than the consideration, if any, paid to said landowner by the state or federal government, or permission to train dogs was granted for a consideration other than that provided for in section 11-0925 of the environmental conservation law; or

c. for injury caused, by acts of persons to whom permission to pursue any of the activities enumerated in this section was granted, to other persons as to whom the person granting permission, or the owner, lessee or occupant of the premises, owed a duty to keep the premises safe or to warn of danger.

3. Nothing in this section creates a duty of care or ground of liability for injury to person or property.

Changes in Landowner Liability Law

By: Neil F. Woodworth, Deputy Executive Director, Adirondack Mountain Club. 1995

Recent decisions by New York courts have applied the protection of G.O.L. 9-103 to public and private land, to rural or urban property whether developed or undeveloped and even to property used for commercial purposes. The property must be generally "suitable" for the particular recreational activity before the immunity granted under the statute applies. The test of suitability turns on whether the premises are the "type of property which is not only physically conducive to the particular activity or sport but is also the type of property which would be "appropriate" for public recreational use. On "appropriateness", the courts have said the Legislature did not intend to grant immunity to induce the public use of property such as urban backyards. "Suitability" of the property for recreation is a question of law for the court and is judged by viewing the property as it generally exists, not portions of it at some given time. The Court of Appeals has declined to apply more accident site specific tests of suitability, saying: "Any other test, which would require the owner to inspect the land, to correct temporary conditions or locate and warn of isolated hazards as they exist on a particular day would vitiate the statute by reimposing on the owner the common law duty of care to inspect and correct hazards on the land."

References:

- American Greenways Fact Sheet #8: Liability: Protecting Yourself and Others. Scenic Hudson, Inc. 1988.

Contact: Scenic Hudson, 9 Vassar Street, Poughkeepsie, New York 12601,
(914) 473-4440.

This 8-page booklet contains helpful information for addressing landowners' concerns regarding trails and possible liability.

- Landowner Liability, A Primer for New York Forest Landowners. Neil Woodworth. Adirondack Mountain Club. 1995

Contact: Adirondack Mountain Club, (518) 449-3870.

This article provides an overview of Section 9-103 of the General Obligations Law. It includes a discussion of who benefits from the statute, what kinds of recreational activities are covered, what kinds of property are benefited, and how farms benefit from this law.

OTHER TRAIL STUDIES AND GUIDES
Publications and Contacts

A Cross Jersey Trail and Greenway: Utilizing Portions of Columbia Gas Transmission Company's Pipeline Right-of-Way Through Hunterdon and Morris Counties, New Jersey. Andropogon Associates, Ltd. Prepared for Columbia Gas Transmission Company, Charleston, WV, January 31, 1990.

Contact: Andropogon Associates, Ltd., 374 Shurs Lane, Philadelphia, PA 19128,
(215) 487-0700.

Analysis of Economic Impacts of the Northern Central Rail Trail. Maryland Greenways Commission. & Maryland Department of Natural Resources. Prepared by PKF Consulting. 1994.

Contact: PKF Consulting, 2121 Eisenhower Avenue, Suite 500, Alexandria, Virginia 22314, (703) 684-5589.

Hudson River Valley Greenway Trails, Getting Started – A Guide To Organizing & Planning. Greenway Conservancy For the Hudson River Valley, Inc., 1996.

Contact: Greenway Conservancy For The Hudson River Valley, Inc., Capital Bldg., Room 254, Albany, New York 12224, (518) 473-3835.

New York Statewide Trails Plan. Office of Parks Recreation and Historic Preservation, June, 1994.

Contact: NYS Office of Parks, Recreation and Historic Preservation, Bureau of Natural Resource and Facility Planning, Agency Bldg. 1, Rockefeller Empire State Plaza, Albany, New York 12238.

The New York State Bicycle and Pedestrian Plan: Transportation Choices for the 21st Century. New York State Department of Transportation. 1997.

Contact: NYS Department of Transportation, Albany, New York 12232, (518) 457-2100.

Town of Red Hook Trails Feasibility Study. December 1998. Prepared by impACT, LLC.

Contact: impACT, LLC., 7472 South Broadway, Red Hook, New York 12571, (914) 758-2869.

RAIL TRAILS IN THE HUDSON VALLEY
An Annotated List with Contacts

Throughout the Hudson Valley there are over 125 miles of paved and unpaved recreational pathways and even more planned. Below is an annotated list of these trails and their overseeing organizations.

Paved Trails

Harlem Valley Rail Trail

- 20 miles of right-of-way owned by New York State from Wassaic to Copake Falls
- Several sections developed around Amenia and Copake Falls, additional improvements planned
- asphalt surface on old railroad right-of-way
- starts in the Village of Amenia, Dutchess County, runs north to Copake Falls, Columbia County.
Proposed to Chatham, Columbia County (46 miles total)

Harlem Valley Rail Trail Association
P.O. Box AE
Millerton, NY 12546
(518) 389-5523

Additional Contact:

Brad Barclay
Dutchess County
Department of Public Works
Poughkeepsie, NY 12601

Heritage Trail

- 10 miles of developed trail
- asphalt surface on old railroad right-of-way
- runs between Towns of Goshen and Blooming Grove, Orange County

Orange Pathways
P.O. Box 56
35 Matthews Street
Goshen, NY 10924
(914) 294-8226
Contact Names: Joseph Sosler, Pat Golchrest

Additional Contact:

Graham Skea
Orange County
Department of Parks, Recreation and Conservation
Route 416
Montgomery, NY 12549

Mohawk-Hudson Bikeway Bike-Hike Trail

- 41 mile route
- asphalt and gravel-surfaced pathway
- portions follow old railroad rights-of-way, river floodplains, and on-street routes
- adjacent to Mohawk and Hudson Rivers for much of its length
- located in Albany, Rensselaer, and Schenectady Counties

Albany County Planning Department
Albany County Office Building, Room 1006
112 State Street
Albany, NY 12207
(518) 447-5660

North Country Trailway & Bronx River Pathway

- 35 Total miles of trail in two corridors
- asphalt surfaces
- North Country Trailway follows "Old Put" railroad right-of-way between the Town of Eastview and the Town of Yorktown, Westchester County
- Bronx River Pathway follows the Bronx River, with some on-road portions, from the Village of Tuckahoe to the City of White Plains, Westchester County

Westchester County
Department of Parks, Recreation, and Conservation
25 Moore Avenue
Mount Kisco, NY 10549
(914) 242-6300

Hudson Valley Rail Trail

- Town of Lloyd, Ulster County

Raymond J. Costantino, Supervisor
Town of Lloyd
12 Church Street
Highland, NY 12528

Additional contact:

Everton Henriques
Hudson Valley Rail Trail Association

Unpaved Pathways

Croton Aqueduct Trailway

- 26.2 miles of trail corridor
- earthen pathway interspersed with on-street sections
- follows route of old NYC water supply aqueduct
- runs along Hudson River shoreline towns from Village of Croton-on-Hudson to the City of Yonkers, Westchester County

Old Croton Trailway State Park
15 Walnut Street
Dobbs Ferry, NY 10522
(914) 693-5259

Walkill Valley Rail Trail

- 12 miles developed trail corridor
- stone cinder surface
- follows old railroad right-of-way along Walkill River
- runs from Town of Gardiner through Village of New Paltz to the Town of Rosendale, Ulster County
- 3 mile additional section south of Walkill Village

Walkill Valley Rail Trail Association
P.O. Box 1048
New Paltz, NY 12561

John B. Clarke Memorial Trail

- Town of Orangetown, Rockland County

Richard Rose
Superintendent of Parks and Recreation
81 Hunt Road
Orangeburg, NY 10962
(914) 359-6503

D&H Rail-Trail

- Town of Hurley, Ulster County

Gary Bellows, Supervisor
Town of Hurley
P.O. Box 569
Hurley, NY 12443
(914) 331-7474

Additional Contact:

Herbert Hekler
Director of Planning
Ulster County Planning Department
P.O. Box 1800, 244 Fair Street
Kingston, NY 12402

Hader Park Trail

- Village of Grandview-on-Hudson, Rockland County

Alan Greenwald, Mayor
Village of Grandview-on-Hudson
118 River Road
Grandview, NY 10960

Marbletown Rail-Trail

- Town of Marbletown, Ulster County

Thomas H. Jackson, Supervisor
Town of Marbletown
P.O. Box 217
Stone Ridge, NY 12484
(914) 687-9673