

TOWN OF SOUTHBOROUGH



OFFICE OF THE BOARD OF SELECTMEN

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August 5, 2020

Dear _____:

The Town of Southborough is currently working with its design consultant to finalize construction plans for Town upgrades and improvements to Main Street in the vicinity of your property. The Town project is separate from the current project under construction, which is a State project. The project currently under construction (State project) will end its construction work at Park Street; the Town project will continue the roadway, curbing, and sidewalk improvements from Park Street easterly to East Main Street, ending just past the intersection with Winchester Street. The project will also extend southerly a short distance on Boston Road.

The Town is currently in negotiations with CSX to obtain approvals that the Town needs for work at the CSX rail crossing. In order to complete its work to construct curbing, curb cuts and sidewalks, the Town needs temporary construction easements from CSX. Through our discussions with CSX, we have learned that the Town will not be able to obtain the required temporary construction easements until the issue of encroachments from private property owners onto CSX right of way property is addressed.

A plan showing the CSX right of way line superimposed onto an aerial photograph of your parcel is attached. It is important to note that irrespective of whether or not the Town were to undertake the improvements to Main Street, the encroachments onto CSX property exist and need to be rectified. This plan shows the area that your property currently uses in comparison to the land by right owned by CSX. It is our understanding that CSX has reached out to you about this matter.

CSX's existing right of way is 60-feet wide (30-feet east and west from the centerline of the rails). If CSX is unable to come to an agreement with you on a reasonable solution,

CSX has indicated to us that as a condition to granting the Town the easements it needs, CSX could go to the extreme of installing a barrier structure along its ROW, to the full width of the existing ROW. A barrier of this sort will have an adverse impact to vehicular access to your business off Main Street, and also to parking on your property. Discussions that the Town has had with CSX gives the Board hope that there may be flexibility on CSX's part on uses it may allow, by easement, within the 30-foot easement limit line.

The Town is hopeful that you can reach an amicable solution with CSX so that action by CSX does not impact access into your property, and so the Main Street project can continue to move forward in a timely manner. As things stand now, if required to move forward without a reasonable solution, the Town may not be able to provide a curb cut off Main Street to your property, given the narrow frontage between structures on your property and the existing 30-foot ROW line. This is not the preferred alternative that the Board would like to see happen, and the Board is unanimous in its position to see that a solution can be implemented so as not to adversely impact your business. The Board is available to have a member meet with you to discuss this situation further.

Commented [SB(1): Not speaking for the full Board, Board members can offer their own opinion on this matter, and this text can be revised as necessary.

We encourage you to respond to CSX at your earliest convenience so this can be addressed soon. CSX real estate contact is xxx, who can be reached at xxxx.

Very truly yours,

Martin Healey, Chair
Town of Southborough Board of Selectmen

This will be tailored to each of the 4 impacted parcels as required. Letter recipients:

- *Knights of Columbus*
- *Mauro's Spa*
- *Lamy Insurance Bldg*
- *Bemis property*