



Commissioner Bruce Van Note  
Maine Department of Transportation  
16 State House Station  
Augusta, Maine 04333-0016

Sept. 25, 2023

Dear Commissioner Van Note:

On September 21, the Yarmouth Town Council held a public hearing and voted to approve the Resolution below. Public testimony was received, all in favor of the Resolution and the requested action, with one commentor expressing hope that we will all make sure any trail use be welcoming and designed to include people with mobility impairments.

**Item No. 24:** To adopt a resolution to petition MDOT to approve conversion of the St Lawrence and Atlantic Railway corridor through Yarmouth to a pedestrian and bicycle trail corridor.

A Motion to adopt a resolution was offered by Councilor Orenstein, seconded by Councilor Cromarty as follows:

**A RESOLVE** to petition the Commissioner of Transportation and the Maine State Legislature to implement the recommendation of the Portland to Auburn Rail Use Advisory Council .

**WHEREAS**, the State Railroad Preservation and Assistance Act requires the Department of Transportation to seek legislative approval for any conversion of a state-owned rail corridor in which the department controls the right-of-way to a non-rail recreational or nonrecreational transportation use; and

**WHEREAS**, the Portland to Auburn Rail Use Advisory Council was formed in April 2022 pursuant to Maine Revised Statutes, Title 23, section 75, to review the section of the St. Lawrence and Atlantic rail corridor from mile post 0.0 in Portland to mile post 26.5 in Auburn, referred to as the Berlin Subdivision Rail Corridor, for potential non-rail use; and

**WHEREAS**, any conversion to non-rail use is considered interim in nature, with rail corridors preserved for future rail use as provided under the State Railroad Preservation and Assistance Act; and

**Nathaniel J. Tupper, Town Manager**  
(207) 846-9036 Ext. 209 | [ntupper@yarmouth.me.us](mailto:ntupper@yarmouth.me.us)  
200 Main Street, Yarmouth, ME 04096

**WHEREAS**, conversion to an interim trail would involve removing the existing tracks and ties and developing a multi-use trail on the former track bed, with a paved or gravel/stone trail surface; and

**WHEREAS**, authorizing an interim trail use is only the first step, and would enable additional planning regarding construction and funding of an interim trail; and

**WHEREAS**, a majority of the 13 members of the Portland to Auburn Rail Use Advisory Council voted to recommend the conversion of 26.5 miles of the inactive Berlin Subdivision Rail Corridor to an interim bicycle and pedestrian trail; and

**WHEREAS**, 3.3 miles of the state-owned Berlin Subdivision Rail Corridor run through the Town of Yarmouth;

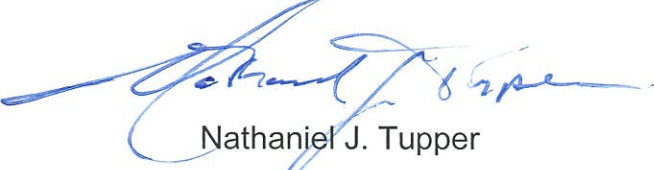
**WHEREAS**, the Yarmouth Town Council finds the significant public benefits will result from an interim trail conversion including:

- Promotion of economic development by increasing non-vehicular access to local businesses on Main Street & Route 1,
- Pedestrian and bicyclist mobility with the region and with related reductions in vehicle emissions and traffic demands, and promotion of healthful active transportation,
- Greater connection and an increase of access to preserved natural spaces in Yarmouth and surrounding towns for recreation and respite,
- Creation of a new universal access trail for differently-abled residents and visitors,
- Provision of for a safe travel corridor within town for cyclists, especially children,
- An increase in cyclist visitors to Yarmouth, a picturesque coastal community, with benefits to local businesses,

**NOW THEREFORE BE IT RESOLVED** that the Town of Yarmouth supports an interim trail on the 3.3 miles of state-owned, inactive track in Yarmouth, and

**BE IT FURTHER RESOLVED** that the Yarmouth Town Council hereby petitions the Commissioner of Transportation and the Maine State Legislature to approve the conversion of 26.5 miles of the Berlin Subdivision Rail Corridor to an interim bicycle and pedestrian trail, consistent with the recommendation of the rail use advisory council.

Sincerely,



Nathaniel J. Tupper

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