Southington-Plainville Farmington Canal Greenway Study









April 2009

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Executive Summary

In August, 2008, the Southington-Plainville Greenway Committee, comprised of representatives of the towns of Plainville and Southington, the Plainville Greenway Alliance (PGA), the Central Connecticut Regional Planning Agency (CCRPA), the CT Department of Environmental Protection (DEP), and the Capitol Region Council of Governments (CRCOG), met to devise a plan to extend local greenways into and through these two communities. Plainville and Southington are situated in the middle of an expanding corridor of multi-use trails, including the Farmington Canal Heritage Trail and the East Coast Greenway. These north-south trails currently have a gap extending north from Hart Street in Southington to Red Oak Hill Road in Farmington. (A greenway segment already exists between West Main Street and Hart Streets in central Southington, and designs are done and construction funding acquired for a segment in the southern part of the town, extending from West Main Street to the Cheshire town line.) The Southington-Plainville Greenway Committee was created to help close this gap.

Over the course of four months, the Southington -Plainville Greenway Committee worked to develop a trail route that acknowledged existing constraints while connecting trails to the north and south and providing a pleasant and safe user experience. The Committee soon concluded that the ideal route would be one that followed the existing rail corridor as it runs through both towns. Since parts of this rail line are active and others inactive but not abandoned, however, the Committee came up with a "preferred route" that occupies the right-of-way only along inactive sections of the rail, and runs along local roads for the remainder of its length.

Once the routing study was complete, staff from CCRPA established preliminary cost estimates for the onand off-road trail segments in both towns. These were created as estimates of minimum cost. Under the system used, Plainville's portion of the greenway would cost approximately \$1.2 million to build, while Southington's portion would cost approximately \$2.4 million.

Since the completion of this study, planning for the trail has progressed. The Town of Plainville, together with the PGA, was awarded a Contingency Needs Grant from the State Office of Policy and Management. The Town is using this funding to commission a design study for their section of the trail. In addition, the PGA formally joined the Farmington Valley Trails Council, a 700member nonprofit organization that oversees the trail to the north. The Town of Farmington also stated its willingness to extend the Farmington Canal Heritage Trail from its current terminus at Red Oak Hill Road in Farmington to the Plainville town line when work on Plainville's section of the trail commences.

Context

TRAILS IN CONNECTICUT

Connecticut is currently experiencing a surge of interest in alternative transportation facilities, including multi-use trails and greenways. Several important, longrange, and inter-state greenways are slated to travel through the state. The Farmington Canal Heritage Trail, currently under construction under several names in different locations across the state, will be a multi-use path stretching approximately 84 miles from New Haven to Northampton, Massachusetts. The East Coast Greenway is a project that is national in scope, which is intended to provide a continuous, multi-use trail that is separated from car traffic and runs from Key West, Florida, to Calais, Maine, connecting the major cities of the eastern seaboard on its way. Many other trails, river walks, and greenways are appearing across Connecticut as the appeal of bicycling and walking as alternative transportation increases. Between 2001 and 2008, the Connecticut Department of Environmental Protection (DEP) designated 51 official greenways in the state.

The north-south rail line that runs through Plainville and Southington lies directly along the path of both the Farmington Canal Heritage Trail and the East Coast Greenway. Currently, no segment of either trail has been built in Plainville. Southington constructed a section of trail known as the Southington Linear Park Rail-Trail in



ConnDOT's "Pathways through CT" map from 2006. Yellow box highlights Plainville & 2003, and is currently designing phase II of its trail, which extends south from the Linear Park to the Cheshire town line.

The gap extending from Southington's Linear Park north through Plainville is not the only gap in this north-south trail corridor, but it is an important one nonetheless. At roughly 7 miles, it is the longest gap in the trail. It also faces the largest challenges: the rail line along which the trail would run is still active in northern Southington and southern Plainville, and the rail company who owns the line has not yet proven interested in sharing its rights-of-way even along inactive sections.

The State of Connecticut has demonstrated a strong interest in completing trails of national, state, and regional significance. The Connecticut Recreational Trails Plan, completed by the DEP, counts "[ensuring] the continuity and linkage of trail systems around the state" as its number one goal, and goes on to say that "DEP's highest priority should be the completion of such major trails as the Air Line, Hop River, and Moosup Valley State Park Trails, the Charter Oak and Quinebaug River Greenways (major links in the East Coast Greenway), and the Farmington Canal Heritage Trail."

FARMINGTON CANAL HERITAGE TRAIL

For the most part, the Farmington Canal Heritage Trail follows the route of what was first the Farmington Canal and subsequently the Canal Railroad. The Farmington Canal was constructed in the 1800s, on the heels of New York State's Erie Canal, by businessmen who wished to open up trade with Massachusetts along a route that bypassed Hartford. Maintenance costs and natural hazards limited the canal's profitability. Only 12 years after its 1835 completion, the canal was replaced by a railroad. The new Canal Railroad, which ran along much the same north-south route as the former canal, was in use until the 1980s, when extensive flood damage rendered part of the line unusable.

Transformation of the rail into trails began in the mid 1990s. In the south, the first segment completed (in 1994) was Cheshire's Rails to Trails Linear Park. It was the first rail-to-trail conversion in Connecticut funded by the 1991 Intermodal Surface Transportation Efficiency Act (ISTEA), which would support subsequent trail segments in the north and south. The park in Cheshire ran from Cornwall Avenue south to the Hamden town line, and Hamden's northern segment was the next piece to follow.

In the north, active use of the rail line ceased north of Plainville in 1998. The Farmington Valley Trails Council, which oversees the trail north of Plainville, was formed in 1992. The first completed sections of trail were in Avon (1992) and in Farmington and Simsbury (1994).

Today, the 21.4-mile Farmington Valley Greenway, which is being renamed the Farmington Canal Heritage Trail in anticipation of the project's completion, extends from Red Oak Hill Road in Farmington north to Southwick, Massachusetts. It is nearly complete: the last remaining gap, a .37 mile length in Suffield, is due to be closed in 2009. Also in the north, the Farmington River Trail loops west from Simsbury to the Farmington River, then follows the river southeast to reconnect to the Greenway in Farmington.



Current map of the Farmington Valley Greenway (green) and the Farmington River Trail (blue)

In the south, work on the Farmington Canal Trail continues. The network of trails (in various stages of completion) currently extends from downtown New Haven north to Cornwall Ave in Cheshire. Work in Hamden is completed; construction on the segment connecting New Haven with Hamden is set to begin in spring 2009.



An early map of the Farmington Canal Trail in the south. The Southington section marked with "CCCC" is now complete.

Once work on the southern Canal Trail is complete, two large gaps will remain: from Cornwall Ave in Cheshire to West Main Street in Southington, and from Hart Street in Southington to Red Oak Hill Rd In Farmington. Between the two lies Southington's Linear Park, which was completed in 2001. Cheshire is seeking funding to extend its trail north to the Southington town line. Southington has secured funding to extend its trail south to Cheshire. If the Farmington Canal Heritage Trail is to be completed, the Southington-Plainville gap must be closed.

EAST COAST GREENWAY

The Southington-Plainville trail also forms a key link in the East Coast Greenway, an interstate trail system of national significance.

Envisioned as "the nation's most ambitious, long distance, *urban* trail project," the East Coast Greenway will be a continuous, traffic-free, multi-use trail that extends from Key West, Florida, to Calais, Maine. Unlike



the deliberately wild Appalachian Trail, which it parallels, the East Coast Greenway will pass through as many major urban centers on the eastern seaboard as possible.

In Connecticut, the East Coast Greenway is very much still a work in progress. According to the East Coast Greenway Alliance, roughly 25% of the 196 mile route through Connecticut is complete as a traffic-free trail (a trail separated from car traffic), while 31% is in development. The area between Southington and Farmington is called out on the Alliance's website as an area of concern, where "extra time and energy" will need to be invested in coming years. Other noted areas of concern include the Merritt Parkway Trail in Fairfield County, and the route between Simsbury and Hartford.

A complete East Coast Greenway route through the state—and along the entire east coast—is a long way off. Many trail segments in Connecticut and in other states must be finished in order for that vision to become reality, the Southington-Plainville stretch among them.

TRAIL PLANNING: PLAINVILLE

The first push for a greenway in Plainville came in 2004 from town residents and bicycling enthusiasts, particularly the newly-formed Plainville Greenway



Alliance (PGA). The PGA is a local, grassroots organization fighting for bicycle and pedestrian friendly trail facilities within the Town of Plainville.

In 2004, under the guidance of Alan Plattus, a Farmington Canal Rail to Trail Association member and Professor of Architecture at Yale University, two Yale students did a feasibility study of a rail-trail in Plainville. That document helped the PGA move toward their own vision of a preferred trail route, which was completed in December 2008 (shown below).

The Town of Plainville has been working toward building the trail since 2005, when it first contacted what was then Boston Maine / Guilford Transportation about acquiring the land from Northwest Drive south to the Pequabuck River. The deal fell through in 2006 when the track in question was deemed "critical to railroad operations." The Town contacted the rail again in 2008 about acquiring an easement on the same property. At that time, however, the rail company was being purchased by Norfolk Southern, and all negotiations were put on hold.

At this time, the Town and the PGA are both anxious to get trail construction underway. The two have partnered to commission a design study of trail options in Plainville, and the Town has committed staff resources to the project to help ensure the best outcome possible.

TRAIL PLANNING: SOUTHINGTON

Impetus for the trail in Southington came from the town itself. The Town Conservation Commission began pushing forward on constructing the trail in the late 1990s. The first section of the trail, Southington's Linear Park, opened to the public in 2003. This initial section stretched from West Main Street north through the Plantsville section of town to Hart Street. The second section, running from West Main Street south to the Cheshire town line, has been designed, and was awarded nearly \$3.5 million in American Recovery and Reinvestment Act funds in March, 2009—the largest amount of Transportation Enhancement Project funds



granted to any town in Connecticut.

The third and final section of the trail in Southington will connect the Linear Park with the trail in Plainville, to the north. This section faces the same difficulties as Plainville's: active rail and an as-yet disinterested rail company.

SOUTHINGTON-PLAINVILLE GREENWAY

Completion of the Farmington Canal Heritage Trail is a project of state and regional significance. Finished sections of greenway trails around the state have proven invaluable open space, recreation, conservation, and economic development resources. Creating two continuous, off-road routes that permit travel through the state will bring enormous benefits to the towns through which the trails pass, and to the state as a whole.

The Central Connecticut Regional Planning Agency (CCRPA), which works in both Plainville and Southington, is a strong advocate for alternative transportation and regional connectivity. The Plainville to Southington greenway appears as a high-priority alternative transportation project in the agency's regional Plan of Conservation and Development, regional Long Range Transportation Plan for 2007-2037, and Central Connecticut Plan for Alternative Transportation and Health (CCPATH), written in 2005.

In August, 2008, representatives of Southington and Plainville, together with the PGA and CCRPA, joined to form the Southington-Plainville Greenway Committee. Awarded a \$5,000 DEP Greenways Small Grant by the Connecticut Greenways Council, the committee set out to develop a logical route for a greenway that would close the Southington-Plainville gap.



Routing

PREFERRED ROUTE

The Southington-Plainville Greenway Committee held two meetings in the fall of 2008 to discuss routing issues. As a result of those meetings, they determined a "Preferred Route" for the trail to follow through the towns.

Although all parties agree that the optimal route for the trail would be alongside the rail along its length, the preferred route takes into account the uncertain status of the rail line and the very real possibility that Pan Am Southern will not share its right of way in the area where rail is active. No part of the Preferred Route is sited alongside currently active rail.

The route as it is mapped out begins in Southington at the north terminus of the Linear Park. It proceeds north along the abandoned rail line in Southington. Where the rail is active, the trail leaves the rail bed and continues north on Birch Street. Birch Street becomes Washington Street across the Plainville line. The trail continues north on Washington and then takes a series of jogs along smaller streets before joining State Route 372 and heading into downtown. Some of these smaller streets are quite narrow and might need to be widened to accommodate an on-road trail.

The trail follows Rte 372 northeast until just

before the road crosses the east-west railroad tracks. The trail then makes a right onto Pine Street, followed by a left onto Route 10. Following Route 10 makes it possible for the trail to cross the railroad tracks at a ninety degree angle rather than on a diagonal. (Right-angle crossings are considered safer for cyclists and other trail users.) The trail continues northeast on Route 10, passes beneath Route 72, and then makes a left on Robert Street. It travels west on Robert and then makes a right onto Cronk Road, an access road that parallels the rail line. Once past the active portion of the rail line, the trail crosses the Pequabuck River, returns to the rail right-of-way, and proceeds north to Northwest Drive.

The Committee believes that this is a practical, feasible, and relatively low-cost way to route the trail through Southington and Plainville in the event that the rail company does not allow use of its rights-of-way where the rail is active.

FUTURE ALTERNATIVE

The Future Alternative grew out of the Plainville Greenway Alliance's Proposed Route (illustrated on pages 6 & 7). The PGA envisions a bridge over the railroad switching yard downtown that would leave Rte 372 where it crosses the north-south rail track and end at Cronk Road. The Alternative then follows Cronk Road north and rejoins the Preferred Route once past the active section of

Proposed Routes for Plainville / Southington Greenway

- Greenway Preferred Route
- Interim East Coast Greenway Route
- Future Alternative
- Southington Phase 2 (designed)
- Southington Phase 1 (complete)
- ----- railroads
- roads

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1 Miles

0.5

Map created by CCRPA, 3/30/09

the rail. Although appealing, the bridge over the rail yard is relegated to a future vision due to expense, logistics, and the need for extensive negotiations with the rail company regarding height restrictions.

INTERIM EAST COAST GREENWAY ROUTE

The Interim East Coast Greenway Route was established by the East Coast Greenway Alliance as a temporary, on-road way to connect trail segments to the north and south. It is less than ideal. The route circles east along a fairly difficult and heavily trafficked route that is advisable only for skilled cyclists. The route is not considered very safe in either town for pedestrians or less advanced cyclists. By circling so far to the east, the route also bypasses much of Plainville's central business district, reducing the economic benefits that would accrue to the town due to the trail's presence, and depriving trail users of easy access to amenities in town.

The interim route is only temporary, however. Once the trail in Plainville and Southington has been constructed, the East Coast Greenway will be re-routed along it.

OTHER CONSIDERATIONS



As its name indicates, the Preferred Route expresses the committee's preference to have at least some of the trail run along the rail right-of-way. At this time, the committee has no assurances that this will be possible. Depending on negotiations with the railroad, it may become necessary to develop an alternative, on-road route that follows a safer, less challenging path and hews closer to Plainville's town center than the Interim East Coast Greenway Route. The current on-road portions of the Preferred Route may serve as a starting point for determining this route.

Proposed Greenway Routes in Southington



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Cost Estimates

As part of this study, CCRPA has prepared preliminary cost estimates for the Preferred Route along its length. Final route and design choices will heavily influence the final costs of the trail segment, both on and off road. The current estimates are understood to be calculations of the absolute minimum cost. Estimates for the off-road portion of the trail were created using current cost estimates for Phase II of Southington's Linear Park as a guide (numbers have not been adjusted for inflation). Trail widths and surfaces were anticipated to be the same as those in Southington. Pavement materials and costs were based on the CT Department of Transportation's specifications.

PLAINVILLE		Item	L.F.	Width (')	S.F.	Depth (")	Depth (')	C.F.	Unit	Quant	Price	Tota	4
ON ROAD		Directional Signs	L.F.	widdii ()	э.г.	Deptil()	Deptil ()	С.г.	EA	22		-	" 110.0
ON ROAD		Posts for signs							EA	22			550.0
ON ROAD		Sharrow template							EA	22			300.
ON ROAD		Paint							LA	1			250.
ON ROAD		Labor							Hour	75			1,875.
											7 -0.0	· · ·	
TOTAL ON-ROAD P	ORTION											\$	3,085.
	L .												
AILPORTION	Paved	Superpave .25" *	5733.0	10.50	60196.5	1.25	0.1	6270.5		470.29			58,785.
AILPORTION	Paved	Superpave .375" *	5733.0	10.50	60196.5	1.5	-	7524.6	-	564.34			70,542.
RAIL PORTION	Paved	Subbase	5733.0	10.50	60196.5	6.0		30098.3	-	10032.75			341,113.
AILPORTION	Stone Dust Shoulder	Stone Dust / "soft trail"	5733.0	3.50	20065.5		0.0		SY	6688.5		-	167,212
AILPORTION	Stone Dust Shoulder	Geotextile/Riprap	5733.0	3.50	20065.5	0.1	0.0	209.0		70			5,573.
AILPORTION	Grass Shoulder	Furnish & place topsoil	5733.0	3.50	20065.5		0.0	0.0	-	6688.5		-	40,131
AILPORTION	Grass Shoulder	turf establishment	5733.0	3.50	20065.5		0.0	0.0	-	6688.5			13,377
AILPORTION	Signs	Gateway signs			0.0		0.0	0.0		2	. /****		8,000.
AIL PORTION	Signs	Directional Signs			0.0		0.0	0.0		2		-	10.
AILPORTION		Vegetation **	5733.0		0.0		0.0	0.0		5733		-	68,165
RAILPORTION		Removable Bollards			0.0		0.0	0.0		6			10,200.
AIL PORTION		Trash Receptacle			0.0		0.0		EA		\$ 1,700.0	-	3,400.
AIL PORTION		Drainage Control **	5733		0.0		0.0	0.0		5733	\$ 9.6	5 Ş	55,380.
OTAL RAIL PORTIC	DN:											\$	841,892.
BRIDGE		Prefab multi-modal bridge							EA	1	\$ 80,000.0) \$	80,000.
OTAL BRIDGES:												\$	80,000.
ABOR		Labor & management ***							Est	1	\$ 60,000.0) \$	60,000.
OTAL LABOR / MA	NAGEMENT:											\$	60,000.
UBTOTAL ITEMS												Ś	984,977.
CLEARING & GRUBE	BING									1	2	, %\$	19,699.
UBTOTAL												Ś	1,004,676.
ONTINGENCY										1	20	%\$	200,935.
ΟΤΑΙ												· ·	1.205.612.
TOTAL	amounts for crosswalks	or other intersection amenitie	s beyond	directional si	gns.)							Ş	1,205,6
		for multi-use trails of type A,			5 ,	estimated @ 1	L50 lbs per cubi	c foot.					
	Southington's outlay pe		. ,	••		C							
	n Southington's figures f												

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Estimates for the on-road portion of the trail do not account for the need to possibly widen or re-surface roads. They do not account for costs incurred at intersections, particularly at intersections with the rail. They do account for road painting (sharrows, not bike lanes) and directional signs. (minimum) cost for completing the Preferred Route would be \$3,601,821.88. That comes out to a per-mile cost of \$480,073.19—a considerably lower per-mile rate than the actual cost of other trail segments. This low number reflects the way in which the costs were estimated. Actual costs would likely be much higher, particularly for the on-road segments of trail.

Based	l on these	estimates,	the	combined
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		ltem	L.F.	Width (')	S.F.	Depth (")	Depth (')	C.F.	Unit	Quant	Price	Tota	<u> </u>
ON ROAD		Directional Signs							EA	4	\$ 5.0	0\$	20.0
ON ROAD		Posts for signs							EA	4	\$ 25.0	0\$	100.0
ON ROAD		Sharrow template							EA	1	\$ 150.0	0\$	150.0
ON ROAD		Paint								1	\$ 250.0	0\$	250.0
ON ROAD		Labor							Hour	20	\$ 25.0	0\$	500.0
TOTAL ON-ROA	D PORTION											\$	1,020.0
RAIL PORTION	Paved	Superpave .25" *	11639.0	10.50	122209.5	1.25	0.1		TON	954.76			119,345.2
RAIL PORTION	Paved	Superpave .375" *	11639.0	10.50	122209.5	1.5	0.1	15276.2	TON	1145.71	\$ 125.0	0\$	143,214.2
RAIL PORTION	Paved	Subbase	11639.0	10.50	122209.5	6.0	0.5	61104.8	CY	20368.25	\$ 34.0	0\$	692,520.5
RAIL PORTION	Stone Dust Shoulder	Stone Dust / "soft trail"	11639.0	3.50	40736.5		0.0	0.0		13578.83	\$ 25.0	0\$	339,470.8
RAIL PORTION	Stone Dust Shoulder	Geotextile/Riprap	11639.0	3.50	40736.5	0.1	0.0	424.3		141	\$ 80.0	0\$	11,315.6
RAIL PORTION	Grass Shoulder	Furnish & place topsoil	11639.0	3.50	40736.5		0.0	0.0	SY	13578.83	\$ 6.0	0\$	81,473.0
RAIL PORTION	Grass Shoulder	turf establishment	11639.0	3.50	40736.5		0.0	0.0	SY	13578.83	\$ 2.0	0\$	27,157.6
RAIL PORTION	Signs	Gateway signs			0.0		0.0	0.0	EA	2	\$ 4,000.0	0\$	8,000.0
RAIL PORTION	Signs	Directional Signs			0.0		0.0	0.0	EA	10	\$ 5.0	0\$	50.0
RAIL PORTION		Vegetation **	11639.0		0.0		0.0	0.0	LF	11639.0	\$ 11.8	9 \$	138,387.7
RAIL PORTION		Removable Bollards			0.0		0.0	0.0	EA	3	\$ 1,700.0	0\$	5,100.0
RAIL PORTION		Trash Receptacle			0.0		0.0	0.0	EA	6	\$ 1,700.0	0\$	10,200.0
RAIL PORTION		Drainage Control **	11639		0.0		0.0	0.0		11639	\$ 9.6	6\$	112,432.7
FOTAL RAIL POF	TION:											\$	1,688,667.6
BRIDGE		Prefab multi-modal bridge							EA	2	\$ 80,000.0	0\$	160,000.0
TOTAL BRIDGES	:											\$	160,000.0
ABOR		Labor & management ***							Est	1	\$ 83,000.0	0 \$	83,000.0
ABOR		Maintenance & Protection of	Traffic ***						Est		\$ 25,000.0	0\$	25,000.0
-	MANAGEMENT:											\$	108,000.0
UBTOTAL ITEM	S											\$	1,957,687.6
LEARING & GR										1	2	%\$	39,153.
UBTOTAL												s.	1,996,841.3
CONTINGENCY										1	20	%\$	399,368.2
										-	=	Ś	2,396,209.6

(Does not include amounts for crosswalks or other intersection amenities beyond directional signs.)

* Superpave specs are as speficied by DOT for multi-use trails of type A, primarily for bike/ped. Superpave estimated @ 150 lbs per cubic foot.

** estimated from Southington's outlay per linear foot for Phase II

*** estimated from Southington's figures for Phase II

Conclusion

NEXT STEPS

The next steps toward completing the trail are fairly similar for both towns.

The first step is determining whether or not the trail can proceed along the rail line. In Southington, where a sizable portion of the rail is being abandoned, the state must acquire the land before the town can begin to improve the corridor. Where the rail is not abandoned, both towns will have to negotiate with Pan Am Southern for use of the rights-of-way. This includes active and inactive sections of the track.

Once the outcome of the rail negotiations is known, the towns can determine the final trail route, and proceed to identify possible sources of funding for design and construction. If the trail is allowed to proceed in the active rail right-of-way, design will have to occur in consultation with the rail company, to ensure a final outcome that limits liability and potential user conflicts for both the railroad and the towns, as future trail managers. If the rail company prefers not to share its rights-of-way, on-road routes will need to be determined, and a more in-depth feasibility and costing study done.

Once a final route is identified, both towns should move forward toward advertising and raising public awareness of the new greenway segment via signage and an official state DEP greenway designation. The route should also be communicated to the East Coast Greenway Alliance as soon as possible for inclusion on their map.

SUBSEQUENT OUTCOMES

Since completion of the routing study, progress has already been made on some of these fronts.

The town of Plainville, together with the Plainville Greenway Alliance, received a \$45,000 Contingency Needs Grant from the State Office of Policy and Management, which it plans to spend on an in-depth design study of its portion of the trail. The town already issued an RFQ and held a series of interviews to determine which consultant it will hire. It expects to have a completed design study in hand by the end of September, 2009, and hopes to use this study to pursue further funding opportunities for final design and construction.

The 700-member Farmington Valley Trails Council, which oversees the Farmington Canal Heritage Trail in nine towns, has taken a strong interest in Plainville's progress. The three founding members of the Plainville Greenway Alliance now have seats on the Trails Council's board, and the Council has taken the Alliance under its wing, making them part of the greater nonprofit organization.

The Town of Farmington has stated its intention to extend its trail south from Red Oak Hill Road across Rte 6 and into the Farmington Industrial Park to meet the trail in Plainville, once Plainville has shown activity. The Farmington Valley Trails Council will be sponsoring meetings between the two towns in the not-too-distant future to ensure that all parties are on the same page.

All of this is excellent news for Plainville, Southington, the Central Connecticut region, and the state, as we look forward to a future in which these important trails are complete and open to the public.