

# **Wagon Track Trail Questions and Answers**

## **An ongoing fact sheet on the project**

April, 1999

### **From Madbury Town Meeting — March 1999**

#### **1) The project was, not part of the Madbury Master Plan and, not part of the regional bike network .**

Yes, this project was not specifically mentioned in the Madbury Master Plan but there is the mention that trails should be supported in town for use of its residences. Bicycle paths should be incorporated into Madbury for links between Dover and Durham, where "these paths would encourage daily commuters, particularly students, to bike rather than drive, thereby lessening automotive traffic congestion".

The project has been apart of the Seacoast MPO regional bike network for many years. This section of the network is a critical link which connects bicyclist coming in from Portsmouth over the Scammell Bridge and continues to points south like Newmarket on NH 108.

To expand: The project is specifically mentioned in the Durham Town Bicycle Plan. Additionally, in Dover the City Bicycle Plan includes references to NH 108 and Back River Road, which link up to the trail.

#### **2) The project has the potential to, urbanize Madbury**

A bicycle path has no ability to influence the rate at which a community becomes urbanized. The trail will strive to keep the natural beauty and character of the area in place by the desire to have this trail be successful. Bicyclists do not wish to always bike in urbanized areas, which will help to maintain the character. Additional bicycling in as much of a rural phenomenon as it is urban. The trail will be maintain the road as a Class VI status.

#### **3) The Federal government will, come in and require that a road be put in and the Town, can t control it (the Road) if federal government is involved . Further, the federal government will require, outsiders to design and approve the trail**

The Wagon Track Trail will be locally designed and approved through input from the Madbury-Durham Wagon Track Technical Advisory Committee to the Town of Durham acting as project manager. The Federal Highway Administration (FHWA) does have certain standards that do have to be met for any project with concern to such issues as pavement life and ADA accessibility. This should prove not to be a problem for either town, as the FHWA just wishes that when federal dollars are spent on a project that there are plans to maintain the trail for its needed use in some form for an extended period of time. (See later question.)

#### **4) Why is the trail to be paved? Visual aesthetics will be destroyed by a paved trail**

The trail, using federal funds and a part of the regional bike network is intended for use by commuter road bikes not all terrain bikes/mountain bike that could handle unpaved surfaces.

The aesthetics of the area will be preserved as that is a major goal with designing the trail. The width of trail yet to be decide, although the trail will be a minimum of 8 feet. Considering the current width of 20 feet in some sections the trail will actually improve the aesthetics. There are many nice paved trail examples in the region and United States.

**5) Damage to the Environment during construction**

There will be some temporary interruption to the environment as the trail is being built. Durham will manage the project with a high importance on mitigating the negative impacts to the environment. One advantage to Durham managing the project will be the use of smaller (non-DOT) equipment and local contractors using Durham materials.

One must also consider the current uses of the area. The impacts of construction will be no more than current uses, (example - ATVs used on easterly side and skidders used for logging on westerly side).

**6) Liability of Class VI road**

(See later questions or separate memo)

**7) Tractor/farmer use- Will they have to post the road for every use?**

This will be up to the two towns to decide through the Madbury-Durham Wagon Track Advisory Committee. It is hoped that the committee will suggest a common set of rules/regulations for both towns. Currently, each town does not require notification of uses such as these but there is an RSA that requires this notification. Each town has chosen not to enforce the RSA at the current time.

**8) It will be impossible to safely ride on the trail, as there is the potential for active logging/farming.**

(See later question.)

---

**From 9/9/98 workshop with Madbury and Durham officials:****9) Who would govern the rules of operation of the Trail?**

Rules of operation including hours of operation, season of operation, types of users allowed and general rules of the trail will be set by the Towns of Madbury and Durham. Through the Madbury-Durham Wagon Track Technical Advisory Committee these rules may be standardized and adopted simultaneously by both towns.

**10) Freshet Road and Salt Hole/Jenkins Road are currently an acknowledged safety problem for motor vehicles. This could be a bigger safety hazard when pedestrian and bike use is present. What can be done?**

The sharp corner needs advance signage and potential road/shoulder/pavement modifications. This would be an eligible expense under the project — even if no other significant changes were planned for the paved roadway segment. Possibilities include a one way or two way stop sign at the Salt Hole Road intersection with the bike trail. Advance warning signs and trail crossing signs and striping will be necessary. Financial assistance from the project may be useful to the Town of Madbury to correct this existing deficiency before it becomes a conflict point.

**11) What will be the total width of the trail (paved and unpaved)?**

Specifics will come about in the preliminary design process. It is acknowledged that an 8-10 paved trail width is likely to be the minimum necessary. Staff is currently working to obtain

existing road crown width, equestrian shoulder width requirements and additional information to answer this question more directly.

**12) What is the existing corridor width and road crown width by section?**

Generally, once there is a preliminary design, the Right of Way is identified by reviewing the deeds and tax maps. Any existing roads and their widths would also be identified on this plan. This information would be obtained either with a ground survey or by an aerial flight.

**13) Who has the Regulating Authority concerning Class VI roads and trails?**

A class VI road when closed subjects to gates and bars must allow for access. If a town chooses, it may control the type of access it allows by a vote of its governing body. Ideally on this trail bollards will be places at points where the trail meets active roads. These bollards will limit vehicular traffic to those who obtain permission from the town.

**14) What rules will govern the maintenance of the trail after construction? What are the federal regulations/responsibilities imposed upon the Towns after the trail is completed? What are the strings for future maintenance/preservation?**

Basically the trail needs to be maintained for its intended purpose by the applicant unless otherwise approved. The following are 3 stipulations, which appear in our Transportation Enhancement agreements:

- The Town agrees, if the project is approved and constructed using Town and Federal Highway Administration funding, that it will thereafter, at its own cost and expense, maintain the project as it was originally constructed.
- Engineering considerations are vital to proper maintenance and operation of these improvements. Should operational adjustments be necessary, the Town agrees that no changes will be made without prior approval of the State and Federal Highway Administration.
- Should the facilities constructed under this agreement be used or converted to a purpose not specified in the project description without approval of the State, or should the property be disposed of by the Town without approval of the State, or if there is a default of any nature to this Agreement, the Town shall be required to reimburse the Federal Highway Trust Fund for all such funds expended under this project.

The intent is to keep whatever is being built intact forever. However, it is possible to modify a project in the future provided the original purpose is mitigated in an approved fashion. As an example, a bicycle path could be built within a Class VI Right of Way today and later a road could be built within that same Right Of Way as long as the path usage was incorporated into the roadway typical with bicycle shoulders or other provisions.

**15) More detail is needed on the cost and maintenance of the Bridge. What are some approximate construction costs and designs and what are the long-term maintenance/replacement costs estimates?**

Both towns agree that the bridge not need be made usable by more than current users except for emergency vehicles. It will not be built to accommodate logging vehicles. The bridge would have to be designed to current standards for the anticipated loading, be that pedestrians, bicycles or emergency vehicles. For a few recent path projects the contractor has been given options on the type of bridge to be constructed. Each time the contractor opted for a prefabricated steel truss bridge with a wooden deck. A bridge of this type for an approximate

30' span with a width of 12' would likely cost in the range of \$75,000. A wooden bridge could also be in this same range as it would likely require laminated beams to meet the design loading. The abutments will be reconstructed in a manner consistent with the original granite abutments.

We have not tracked long-term maintenance/replacement costs for any bridges of this type. However, I would expect the cost to be relatively low. A wooden deck would eventually have to be replaced but, hopefully the remaining parts of a structure would last for quite some time. The absence of the need to apply salt to the bridge would help greatly in extending the life of any concrete and steel components.

#### **16) What about use by and the safety of cross country skiers?**

Although the trail will be closed to cyclists in the winter, it is acknowledged that hikers and skiers may use the trail in the winter, even if it is formally closed. Skiers would need to dismount and carry skis when traveling along the road sections.

#### **17) Who approves final design standards if Durham is project manager?**

NHDOT would depend on the Town to recommend a standard, which is maintainable and can be constructed within the funds allotted in the application. These standards would be generated by the Madbury-Durham Wagon Track Technical Advisory Committee. NHDOT would review the standards provided by the Town and determine if they are reasonable for the type of project being built.

#### **18) What is the current tentative timeline for trail construction?**

Trail Advisory Committee Formation	October 1998
Durham CIP Match confirmed	December 1998
Survey of Trail	April 1999
Madbury-Durham M.O.U.	May 1999
NHDOT Project Management Agreement	June 1999
Public Forum/Informational Meeting	July 1999
Preliminary Engineering Commences	June 1999
Advertising of Project	August 1999
Public Forum/Informational Meeting	August 1999
Construction begins	Spring 2000
Trail Opens	Fall 2000

#### **19) What will the Madbury-Durham Wagon Track Technical Advisory Committee membership be made up of?**

The committee will include:

- 1 Selectman from Madbury
- 1 Councilor from Durham  
Duane Hyde, Durham Planning Department
- 1 Madbury Conservation Committee Member
- 1 Madbury and Durham Planning Board Representative
- 1 Representative from Durham Police Department to represent public safety concern from both towns

#### **20) What has the abutter response been?**

Abutter reaction ranges from strong support to strong opposition. In general, opposition has been from abutters concerned with continued access to their property., increased public encroachment on private property, and negative effect on future subdivision potential. Durham and Madbury hope to resolve these concerns by accommodating the abutters through the design the trail and the rules for its use. Access will be maintained; however, it may not be as convenient. Any future subdivision of abutting property would go through the same planning board review process as currently is required.

Broad based support for the trail has been noted from diverse groups including cyclists, recreation advocates and abutters.

---

## **Questions from trail walks and other public forums:**

### **21) When and how did this trail idea evolve?**

The idea for the trail originated with the Seacoast Area Bicycle Riders (SABR) in conjunction with the Town of Durham, as a means to take bicycles and pedestrians off US 4 and provide a safer means of travel. The project was applied for by the Town of Durham in Round 2 of the New Hampshire Enhancements program in 1994 and was approved by the State Committee. The path was included as a link in the Seacoast MPO regional bicycle network at that time.

### **22) What is the expected design life of this trail?**

The life of this trail is hard to predict. Many factors such as design standards, and users of the trail will effect the trail s life. Typically, only minor repairs and cleaning will need to be done each year with repaving done about every 10-12 years. *The trail will be built to higher construction standards than a normal bike trail to facilitate the use by adjacent property owners for logging and property access (with permit) by motor vehicles.*

### **23) What design configuration would be used for the trail?**

At this point there is no single standard being advocated. The minimum requirements thus far are that the trail must be a paved surface wide enough for emergency vehicles to travel. This most likely leads to an 8 foot wide trail, however, the width may be variable due to constraints. Other needs that have been identified include a 3 foot wide shoulder for equestrian use and a trail that can withstand logging.

### **24) Where does the funding for this trail come from?**

The majority of the \$305,000 required for this trail is funded through the federal Transportation Enhancements (TE) Program under the Intermodal Surface Transportation Efficiency Act of 1991. It was submitted to the Seacoast Metropolitan Planning Organization (MPO) and the Statewide TE Committee by the Town of Durham in 1994. The project was reviewed at an RPA level and by the statewide committee, which chose it in a competitive process. In order to obtain funding for this project the applicant committed to provide the 20% local match required at project implementation.

### **25) How much is the total cost and what is the local match?**

The total cost of the project is \$305,000. The Town of Durham currently has scheduled the 20% local match (\$61,000) in their Capital Improvement Program. A \$15,000 grant from UNH Alumni secured though Seacoast Area Bike Riders will bring the actual cost for the Town of Durham down. The remaining \$46,000 is the **maximum** hard cash match to be contributed by the Town of Durham and the Town of Madbury.

It is expected that this match will be sufficiently reduced by soft-match contributions of material, labor, engineering and project management time from volunteers at UNH, SABR and current staff of the Town of Durham and the Town of Madbury. For example, Durham has recyclable asphalt material which would be useful as base material.

#### **26) Who is paying the local match?**

The Seacoast Area Bike Riders (SABR), and UNH will be have dedicated \$15,000 to the \$61,000 local match requirement. The project carries a 20% match for the final cost of construction. Durham assumes the majority of this cost since it was the applicant for the trail. Durham will seek a contribution from the Town of Madbury that represents a fair portion of the match relative to the portion of the trail within Madbury to be upgraded.

The match needs to be non-federal funds. It can be in cash or in value of materials or labor contributed to the project. The match could be from the Town or state grant funds.

#### **27) Who will manage the Project?**

The NHDOT has offered the Town of Durham the option of managing the design and construction of this project and the Town is interested in taking advantage of this option. The Town would need to formally enter into an agreement with the NHDOT to meet federal requirements regarding trail construction and maintenance.

#### **28) Who would maintain the trail and pay for that maintenance?**

If the trail project goes forward to construction, it will only be after both the Town of Durham and the Town of Madbury are willing to pay the local match and the future maintenance costs. They are waiting to see preliminary design plans before money is definitely committed to the project in the long term. Hopefully, the use of volunteers and donations to a trail maintenance fund may lessen the burden on the Towns. Any users of the trail that cause damage to the trail will be required to pay to fix the damage. For example, a logging truck, which damages the pavement, will be required to pay to fix the damage.

#### **29) What portion of the trail lies within Madbury and Durham?**

The trail is approximately 2.7 miles long. About 0.8 miles are currently unimproved and located within Durham, 0.9 miles are currently unimproved and located within Madbury, and 1.0 mile of the trail is existing paved roadways in Madbury and Durham.

#### **30) What is the NH road classification of each segment of the trail?**

Unpaved portions of the trail in Madbury and Durham are Class VI closed subject to gates and bars. Research is currently being done on the history and formal status of all the trail segments. The unimproved portions of the trail are closed to all motor vehicles without permit although there is ample evidence of routine ATV use — especially in the eastern segments of the trail.

The trail is currently used by hikers and mountain cyclists on all segments.

#### **31) Who would respond to emergencies on the trail?**

Madbury and/or Durham Police and Fire Departments could respond to emergencies on the trail as is the case with current mutual aid agreements between the two Towns. Durham and Madbury Emergency Response teams have been briefed on the plans for the trail and asked for formal input. The Town of Durham Fire and Police Departments have formally replied.

Point location markers will be located along the trail to help emergency crews locate where they are needed quickly.

**32) Will the trail be patrolled by Police Officers?**

The Durham Police department has offered to periodically patrol the trail on bicycles. Both Madbury and Durham Police departments will have keys to the bollards and could patrol the trail as necessary by vehicle.

**33) Where do users of the trail park their vehicles?**

The trail is a link in the regional bicycle network and uses TE funds, which designate it as a transportation facility. It is not specially designed for recreational users although designers acknowledge that weekend and evening use by recreational users and residents is likely.

Those using the trail for recreation can leave their cars at the eastern side of the Scammel Bridge where a parking lot is currently being built at a new state boat ramp and park. The new bridge will provide a safe and scenic means to access the trail by crossing the bridge, continuing on US 4 for a short stretch and turning onto Back River Road to meet up with the trail. Parking may also be allowed at the Durham Evangelical Church, with the Church's permission. The Church Minister has been apprised of the trail and has been very cooperative.

Parking will be discouraged on Watson, Freshet and Back River Roads. No additional facilities will be constructed on these roads to permit parking.

**34) What type of users is the trail open up to?**

The trail will be open to all of its current users and those to whom the trail is specially designed in mind for such as bicyclists, pedestrians, cross-country skiers, rollerbladers, horses, emergency vehicles and logging vehicles (by permit). Other motorized vehicles such as motorcycles and ATVs will be prohibited, as is the current case with Class VI roads.

**35) Will any gates or bollards be used at the entrance of the trail?**

Bollards should be used at any point where the trail meets the road and at both ends of the trail. The center key bollard system will provide quick and easy access to the trail by public safety and maintenance crews. There are numerous designs and styles of bollards including some that would permit emergency access as breakaways. Trail designers will work with parties in both Towns to choose the most appropriate design and access type.

**36) How is this trail linked to other trails in the region?**

This trail will be link of the Seacoast regional bicycle network which is currently in the process of being built and designed in some sections. As its first priority, this bicycle network emphasizes the establishment of a continuous bike network from the coast and around Great Bay. The Wagon Track trail is envisioned as a high priority and high profile element in that network. Long-term, an additional phase may be studied to construct a leg to Wagon Hill Farm.

**37) Will residents along the trail still be able to utilize the trail as they have before?**

Yes, all legal uses of the trail and Class VI road corridor will remain.

**38) Can landowners along the trail still subdivide their lots for future development?**

Yes. There will be no change in the subdivision application process or possibilities. In fact, the trail may reduce the costs of future subdivision access roads. Federal rules would require that any change of the trail to subdivision or access road maintain the use as a bicycle facility. This might be as simple as a paved shoulder with bike signs and would not add any significant costs to future subdivision. Planning Boards of both towns would maintain control of any such subdivision along the trail corridor.

**39) How will the historic bridge be maintained and improved for emergency vehicle access?**

The historic bridge which lies near the Madbury and Durham town on Johnson Creek line will be built wide enough and strong enough to withstand emergency vehicles. The historic nature of the bridge will also be taken into account when it is designed. Currently, a design team from UNH is working on a design, which would maintain and repair the granite abutments and use traditional building materials for the span. The NH Historic Resources Division and NHDOT Research Bureau will be consulted.

**40) Are there any environmental considerations that need to be taken into account when building the trail?**

Unknown at this point. Because state and federal permits are a part of this project an environmental assessment will be required as a part of the project design phase.

**41) Who can people contact with other questions and concerns?**

Strafford Regional Planning Commission at 742-2523 (Steve Pesci or Robin Dingmann)  
Town of Durham Planning Department at 868-8064 (Duane Hyde)  
NHDOT at 271-2165 (Don Lyford- Project Manager)

**42) Why do we need this trail?**

This trail is needed for many reasons.

- To provide an alternative to dangerous bicycle and pedestrian travel on US 4
- To provide a wonderful recreation opportunity for individuals and families
- To complete a critical link in the Seacoast Regional Bicycle Network.

**43) How do you minimize the conflict between Trail Users?**

There are two basic types of conflicts which good trail design and regulation prevent. The first is non-motorized to non-motorized conflict. This should be preventable by adequate pavement width and possible centerline striping.

The second type is non-motorized with permitted motorized users (i.e. logging vehicles). The most likely technique would be clear posting that motorized vehicles must yield to all non-motorized users. Potentially, non-paved pullouts could be located at certain parts of the trail. As a part of the permitting process the ends of the section of the trail being used would be posted to inform trail users of logging activity.

---

**The following Questions and Answers were modified from a Rails to Trails web page: [www.railtrails.org/oppfag.html](http://www.railtrails.org/oppfag.html)**

**44) Do trails attract crime and vandalism?**

No. There is no evidence that trails cause an increase in crime. In fact, trail development may actually decrease the risk of crime in comparison to abandoned roads. And, several studies show that people prefer living along a trail than an abandoned corridor. Typically, lawful trail users serve as eyes and ears for the community.

*Walks of the Wagon Track Trail show large numbers of beer bottles and trash on portions of the trail used as a party spot or hideaway. Opening the trail up to public use and patrols will eliminate its attraction for illicit or illegal activities.*

**45) How can trails be made as safe as possible?**

The trail's design can enhance safety, such as landscaping in a manner that limits deep shadows and hiding areas or installing emergency telephones in key areas along the trail. Various safety programs can be used once the trail opens ranging from limiting use to daylight hours to establishing volunteer trail ranger programs and from holding periodic safety days to instituting regular police patrols.

**46) What about public and private liability?**

Generally, trails are covered by the overall insurance policy of the public entity that manages the trail. Public liability risks from trails are small relative to other public services like roads, playgrounds, and swimming pools. By considering safety concerns when designing and maintaining the trail, you can lower these risks. With respect to liability to trail neighbors, recreational use statutes in all states except Alaska and in the District of Columbia protect private landowners. Under these statutes, a landowner that does not charge a trail access fee will not be held liable for injuries sustained on his/her property unless the injured party can prove willful and wanton misconduct on the part of the landowner.

**47) What about the privacy of those living near the trail?**

According to a National Park Service study, *The Impacts of Rail-Trails*, most adjacent owners experience a minimal loss of privacy from the establishment of a trail. Generally, trails have a thick row of already established trees and shrubs along their edges. Often, trail design specifications will call for additional vegetative screening to be added to the trail corridor to project privacy. Fencing is expensive and rarely necessary, although some landowners do erect fences—often with a gate so they can access the trail.

**48) Do trail crossings create traffic hazards?**

No, when properly designed. When crossing exist, well-placed warning and directional signs both on the road and trail can prevent problems and help trail users and motorists avoid dangerous situations. In addition, trail advocates can work with the community to develop user education programs that teach trail etiquette and bicycle safety. These could also be listed on the trail as reminders.

**49) How should user conflicts be addressed?**

Creating the best trail possible requires tailoring trail design and permitting uses to the communities through which it passes. There may be circumstances or trail characteristics that make some uses impractical in certain areas. To prevent conflicts, a trail should be wide enough generally 10 feet minimum, and at least 12 feet wide for urban and suburban trails, or where heavy uses are expected. Naturally, trail rules should be posted at trailheads and near major road crossings, as well as in any trail-related literature. A User Advisory Committee could

be formed with representatives from different groups and trail neighbors, to discuss and solve problems.

**50) Who will pick up the litter?**

Trash has not presented much of a problem on most trails. Some trails have successfully adopted a pack out what you pack in position while others have regular maintenance schedules to empty well placed waste and recycling receptacles. Whatever method is chosen, proper sign placement along the trail will help ensure its success.

**51) What about illegal parking?**

As trails become more popular, parking can be a problem, so this topic needs advanced consideration. Also investigate the possible use of under-utilized parking areas of nearby institutions such as churches during the week, or office buildings on weekends. Advocates should also encourage people to walk or bike to the trail instead of driving (which might encourage the development of on-road bike lanes). For persistent problems, enforcing strict parking regulations may be necessary until additional parking areas area available.

**52) Will a trail cause damage to local wildlife?**

Except possibly for a brief time during trail construction, most trails have a positive effect on the wildlife. In fact, some trails have preserved a number of endangered and threatened species. Minnesota s Cannon Valley Trail, for example, shelters three endangered wildflower species and provides habitat for the threatened Wood Turtle. Generally, trails provide conservation areas and promote environmental education.