CHAPTER IX

TRANSPORTATION

INTRODUCTION

Rural character and sense of place are important components to a high quality of life in Salisbury. Salisbury's rural atmosphere is defined by its scenic roads, historic stonewalls, and villages. Salisbury residents enjoy and treasure the ability to walk, hike, and cross-country ski throughout the villages, quiet back roads, and recreational trails. These features are equally important in the identity of the community and need to be protected and preserved. However, as development continues, many are concerned that Salisbury's traditional rural atmosphere and unique sense of place will slowly erode. This Chapter hopes to identify these important transportation infrastructure resources and propose strategies to preserve and enhance them.

In recent decades, the residential population of the Town of Salisbury has experienced some growth. Situated to the north of Concord, adjacent to Franklin, Andover, Boscawen, Webster and Warner, many Salisbury residents commute to Concord. Therefore, the main commuting corridor, NH Route 4 is important to preserve as a transportation corridor.

As Salisbury continues to grow and the use and pressure on local and major roads intensifies, it will become increasingly important for the Town to explore options for maintaining a rural atmosphere. The characteristics of a road, the width, shoulder type, curvature, clear zone, etc. all contribute to the overall feel of the road. Roads that are traditionally found in rural New England areas are generally narrow with no shoulders, they have many curves, and they are dirt or gravel. Balancing those traditional characteristics with modern safety is a challenge. Compromises should be made to achieve a road that maintains a rural feel, but is safe for most travelers.

Land use in Salisbury is primarily residential and trends indicate that this type of development will continue. New development can contribute to maintaining a rural atmosphere by constructing buildings and roads that are scaled and located most appropriately for the area. Different requirements for construction may help preserve the character of historic or scenic areas.

Overall, Salisbury's transportation embodies many of the traits desired by those seeking a rural atmosphere. The challenge is to preserve the rural atmosphere of the Town, while still accommodating the needs of a growing community. The information and recommendations contained within this chapter can assist Salisbury to accomplish that goal.

OBJECTIVES OF THE CHAPTER AND RECOMMENDATIONS

- Provide for the safe and efficient movement of traffic and emergency vehicles while preserving the rural nature of Salisbury.
 - Periodically review accident reports from the New Hampshire Department of Transportation in order to identify problem areas with the Town.
 - Review the Town classification for existing roads and document those findings. Identify each road as to its functional classification as well as its State Aid classification.
 - Review zoning pertaining to road widths and use of common roads to developments.
 - Review and utilize the 2004 UNH Recommended Technical Standards for New Roads to update new road standards appropriate for varying levels of development.
 - Review condition of existing roads and determine long range plan to upgrade roads in need of repair.
 - Develop long term maintenance plan for existing paved and gravel roads.
 - Develop long term maintenance plan to assist residents in culvert maintenance.
- Maintain rural character and further develop recreational use
 - Develop long term maintenance plan that accommodates recreational use of town roads.
- Educate citizens about driveway maintenance
 - Develop long term maintenance plan to assist residents in culvert maintenance.
- Compile data sufficient to assist in making a determination regarding the use of exactions and adopting an impact fee ordinance relative to the impacts of development on the Town's transportation infrastructure.

- Review the CNHRPC Regional Bicycle and Pedestrian Plan to identify possible improvements to the Bicycle and Pedestrian infrastructure of the Town.
- Identify transportation improvement needs with a regional and state scope.

COMMUNITY SURVEY RESULTS

In 2005, the Planning Board distributed community surveys to 411 Salisbury households. Of the 411 surveys distributed, 102 were returned, indicating a total response rate of 25%. The results of the survey can be found in the **APPENDIX CHAPTER**. Answers to the questions pertaining to transportation issues are summarized below.

As seen in Table VII-1 below, the survey asked respondents if the Town should develop a long-term plan to pave the remaining Class V gravel roads in Town. A majority of those responding (55%) indicated that the Town should not prepare such a plan. This is indicative of residents' desire for Salisbury to retain its rural character and gravel roads.

Response	Number of Respondents	Percent
		27.55%
Yes	27	
No	54	55.10%
No Opinion	17	17.35%
Total	98	

Table VII-1 Should the Town develop a long-term plan to pave the remaining Class V (town maintained) gravel roads in Town?

The survey also questioned residents on their general opinion of the year-round condition of the roads in Salisbury (Table VII-2). Nearly 68 percent of respondents indicated that the roads they travel are in good or fair condition. Approximately 27 percent of respondents feel that Salisbury roads are in poor condition.

Response	Number of Respondents	Percent
Good	65	63.11%
Fair	5	4.85%
Poor	28	27.18%
No Opinion	5	4.85%
Total	103	

Table VII-2 In your opinion, what is the general year-round condition of the roads you travel on in Salisbury?

Table VII-3 displays the answers provided for the survey question asking residents if they support development along Class VI roads. Of those who responded, 66 percent are opposed to development along Class VI roads.

Table VII-3Do you support development along Class VI roads (roadsvoted discontinued, non-maintained subject to gates and bars)?

Response	Number of Respondents	Percent
Yes	27	27.00%
No	66	66.00%
No Opinion	7	7.00%
Total	100	

The survey went on to ask, if the respondent supported development along Class VI roads, how far from a Class V road should development occur? Table VII-4 tabulates the results with more respondents indicating they had no opinion than any other distance.

Table VII-4 If so, at what distance should development along the road occur as measured from the nearest Class V (*maintained*) road?

Distance	Number of Respondents	Percent
600 Feet	2	6.45%
1,000 Feet	3	9.68%
Greater 1,000 Feet	7	22.58%
Depend on Soil/ Topo	6	19.35%
No Opinion	13	41.94%
Total	31	

BACKGROUND INFORMATION

Functional Highway Classification

One method by which public roadways are classified, relevant to long range planning of roadway improvements, is on the basis of primary function, or the roadway's relation to the community transportation system as a whole. These divisions are used to determine roadway design standards. The five basic functional highway classifications are described below.

Principal Arterial

Principal arterial roadways form the basic framework of the State roadway system. They primarily function as the main routes for interstate commerce and traffic. In addition, they also link major geographic and urban areas to economic districts of the State. Ideally, access to these roads by abutting parcels is not permitted or is highly restricted.

Minor Arterial

These roadways serve as long distance traffic movements, and are secondary to primary arterials in that minor arterials tend to serve as links between major population areas or between distinct geographic and economic regions.

Major Collector

These roadways differ from arterials due to size and general service area. Collectors serve traffic in a specific area, whereas as arterials generally serve traffic moving through an area. Thus, average trip lengths on collectors are shorter than trips on arterial. Furthermore, collectors gather traffic from local roads and streets and distribute them to arterials.

Minor Collector

These roads provide access to smaller communities within a geographic area or economic region. They may link locally important trip generators, such as shopping centers to surrounding rural areas. They also serve as links between two or more major collectors.

Local Roads

These roads and streets primarily provide access to adjacent properties. These roads have numerous turning movements in and out of abutting driveways and curb cuts.

State Aid Highway Classification

Another system used to classify roadways in New Hampshire is the State Aid Highway Classification System. This system was created under the requirement set forth by RSA 229-231 to determine the responsibility for the reconstruction and maintenance of roadways located in the State. This system is also used to determine the eligibility of roads for State funding. Classifications are comprised of six categories (Class I through Class VI highways).

Class I – Truck Line Highways

This classification consists of all existing and proposed highways on the primary state system, except all portions of such highways within the compact sections of communities, providing said sections are Class I highways. Examples nearby include Interstates 93, and 89.

Class II – State Aid Highways

This classification consists of all existing and proposed highways on the secondary state systems, except those in compact sections of cities and towns. All sections of these roadways must be improved to the satisfaction of the NHDOT Commissioner and are maintained and reconstructed by the State. The Town must maintain all unimproved sections of these roadways, where no state or federal monies have been expended, until they are improved to NHDOT satisfaction. All bridges maintained with state or federal funds shall be maintained by the State, while all other bridges shall be the responsibility of the municipality. Salisbury has two Class II roads, NH Routes 4 and 127 (Battle Street / Dimond Hill Road).

Class III – Recreational Roads

This designation is assigned to all roads leading to, and within, state reservations designated by the NH Legislature. The NHDOT assumes all responsibility for construction and maintenance. The Town of Salisbury has no Class III roads.

Class IV – Urban Highways

This designation is assigned to all highways within the compact areas of municipalities listed in RSA 229:5, V. The compact section of any city or town shall be the territory within such city or town where the frontage on any highway, in the opinion of the DOT Commissioner, is mainly occupied by dwellings or buildings where business is conducted, throughout the year. No highway reclassification from Class I or II to Class IV shall take effect until all rehabilitation needed to return the highway surface to reputable condition has be completed by the State. The Town of Salisbury has no Class IV roads.

Class V – Rural Highways

This classification consists of all traveled highways which the town or city has the duty to maintain regularly, paved or unpaved. Class V Roads are listed in Table VII-5.

Class VI – Unmaintained Highways

Roads under this category consist of all other public ways, including highways subject to gates and bars, and highways not maintained in suitable condition for travel for more than five (5) years. Class VI Roads are listed in Table VII-5.

ummary of Roads in Salisbury	y by Classification
Road Name	Classification
Bacon Lane	5-6
Bay Road	5
Beech Hill Road	6
Bog Road	6
Brookside Drive	5
Buckhorn Road	5-6
Calef Hill Road	6
Center Road	5
College Road	6
Couchtown Road	5
Dunlap Road	5
Fellows Lane	6
Gerrish Road	5
Heath Road	6
Hensmith Road	5
Humphrey Road	5
Little Hill Road	5
Loverin Hill Road	5
Michael's Lane	5
Mill Brook Road	5
Montgomery Road	6
Mountain Road	5-6
Mutton Road	5-6
New Road	5
NH Route 127 (Battle Street /	2
Diamond Hill Road)	
NH Route 4	2
North Range Road	6
Oak Hill Road	5
Old Coach Road	5
Plains Road	6
Quimby Road	5-6
Rabbit Road	5
Raccoon Hill Road	5
Robie Road	6
Scribner Road	5
Searles Hill	6
Warner Road	5
West Couchtown Road	6
West Salisbury Road	5
Whittemore Road	5

Table VII-5Summary of Roads in Salisbury by Classification

Source: Updated from CNHRPC Transportation Data

Traffic Counts

The New Hampshire Department of Transportation conducts traffic counts at hundreds of locations around the State on a three-year cycle. In many cases, counts at a specific location may go back ten or more years, providing a sense of how traffic has changed over the years. In addition to the State program, Central New Hampshire Regional Planning Commission (CNHRPC) conducts an annual municipal traffic counting program. This program enables municipalities to request traffic counts at a few specific locations in town. Between the counts collected by the NHDOT and the CNHRPC over the years, there exists a wealth of traffic count data for the Town of Salisbury.

Table VII-6 displays counts collected by both the CNHRPC and the NHDOT over the past several years. The counts are displayed in two different formats. Figures that are shown as rounded numbers (e.g. 700) are Annual Average Weekday totals. These counts have been processed to show the average weekday traffic over an entire year and better represent typical vehicle volumes. Figures in the table that are not rounded (e.g. 1,057) are displayed as Average Weekday totals. These counts are directly from weeklong counts and are subject to seasonal and weekly traffic flow variations.

Regular monitoring of sites during peak months is critical in the planning process, as accurate projections are required for logical transportation and land use planning.

As the Town of Salisbury is concerned about continued development and the impacts to the local transportation system, the Town should pursue regular requests for traffic counting from the CNHRPC. This will allow Salisbury to monitor traffic on paved and unpaved roads and to quantify impacts from development.

Site								
Code	Road	Location	2001	2002	2003	2004	2005	2006
401011	NH 127	East of US 4				3325		
401050	NH 127	At Franklin TL*			1200			881
401051	US 4	At Boscawen TL	3400		3500			2755
401052	US 4	At Andover TL	2600		2600			2730
401053	NH 127	At Webster TL	1000		1100			1066
401054	US 4	North of NH 127	3600			3500		2399
401055	NH 127	West of US 4	1300			1200		1502
401500	Hensmith Rd	At US 4	360		344	1564		
401501	New Rd	At Center Rd						
401502	New Rd	At start of dirt						
401503	W. Salisbury Rd	At US 4	339		329			
401504	Warner Rd	At start of dirt						
401505	Warner Rd	At NH 127	320		342			
401506	W. Salisbury Rd	S. of Bay Rd						
401507	Whittemore Rd				519			
401508	Center Rd	At US 4						
401509	Raccoon Hill Rd	At New and Center Rds			187			
401510	Bay Rd	At West Salisbury Rd			102			
401511	Center Rd	South of Whittemore Rd			134			

Table VII-6Traffic Counts, 2001-2006

*Town Line

Sources::2006 Traffic Volume Report, NHDOT; CNHRPC Traffic Counts

Tools to evaluate the need for future transportation improvements

One of the most useful and obvious methods of identifying where transportation improvements may be needed is to analyze the location, frequency, and type of accidents that occur at various locations in the community. In the future, the Town should track the location of key areas where accidents occur in Salisbury. In reviewing accident data, the town can identify clear trends of the types of accidents occurring and plan to resolve them. Many factors may lead to drivers losing control of vehicles including speeds, road characteristics, animals, and weather conditions. Accident data serves as one tool in identifying potential hazardous intersections; however, it is only a piece of the overall picture. Local knowledge is key to understanding why intersections work the way they do and why some are more dangerous than others.

Another useful tool to identify where transportation improvements may be needed is to conduct speed analysis. The Salisbury Police Department should be encouraged to conduct speed surveys of travelers in areas where residents indicate an issue with speeding may exist. The survey consists of an officer measuring the rate of speed of traffic.

ACCESS MANAGEMENT

The goals of access management are to reduce congestion, increase safety, and implement coordinated land use and transportation plans. Often access management can be improved by focusing on smaller site improvements, like defined entryways and exits, shared driveways, and connections between adjacent subdivisions. These types of facilities are easiest to implement as part of a new development and are sometimes required by a municipality. Improvements to existing facilities can also greatly enhance the capacity and character of a roadway, but a more cooperative approach is required between the Town and the landowner to plan, fund, and complete the improvements.

Other opportunities exist to enhance access management by better coordinating planning efforts like a Master Plan, Zoning Ordinances, Subdivision Regulations, and impact fee ordinances. The Master Plan can set the stage for improvements by clearly identifying goals for the transportation network. Zoning Ordinances can further aid in the process by tailoring frontage requirements, lot sizes, signage and architectural standards, and possibly by identifying overlay districts. The Zoning Ordinance can also depart from the normal strip zoning along roadways and adopt a nodal approach. In the nodal approach, development focuses in denser areas along a roadway, with open space or less traffic-intensive development between nodes. Using Subdivision Regulations, a

community can further improve access management by having provisions for shared driveways and connector roads between subdivisions.

TRANSPORTATION SYSTEM

Pedestrian Infrastructure and Safety

Pedestrian facilities, such as paved sidewalks and gravel walking paths, are critical features for roadways with high volumes of traffic or high speeds where pedestrian activities naturally occur or wish to be encouraged. The primary purpose of a sidewalk is to improve safety for pedestrians by separating them from the travel lanes of roadways. In addition to this, sidewalks can also serve as a source of recreation for residents, serve to beautify an area, or stimulate economic activity in rural and village settings.

Speed limits have been the usual method of improving pedestrian safety and other non-motorized modes of travel. In both rural and urban areas, the minimum speed limit a municipality can impose is 25 miles per hour. Limits can be made lower at intersections (RSA 265:63, (a)) and in school zones (265:60, II (a)). Crosswalks on local streets are a form of traffic regulation and therefore must be approved by the Board of Selectmen. Crosswalks located on State roads must be installed and approved by NHDOT, but are maintained by the Town.

Many communities in the United States are now exploring further means beyond sidewalks that place pedestrians and other non-motorized modes of travel on a more even level with motorized traffic. These measures, collectively called traffic calming, use the physical design of the roadway to prevent inappropriate automobile speeds. Most often they are used in residential or downtown areas where residents see the road as part of their neighborhood and a place where walking, recreation, and social interaction can safely coexist with motorized traffic.

In the future, the Town of Salisbury may desire to require sidewalks as part of new development or in conjunction with new municipal facilities or recreational areas. Further, the Town of Salisbury may wish to designate some of its Class VI roadways as Class A trails to protect pedestrian and recreational uses on those roads.

Bicycle Infrastructure

The NHDOT published a series of regional bicycle maps in order to encourage use of alternative modes of transportation. The Statewide System was established to link commuting nodes throughout the State with one another; for example, connecting Salisbury to Concord. Salisbury is located on the Dartmouth/Lake Sunapee Region Map. Route 127 is identified as a Regional Route. Route 4 is identified as a Statewide Route.

The overall system really serves two functions. The first is to guide bicyclists to use roadways that might be safer given speed, traffic volume and shoulder width. The second is to provide a source for local officials to reference when improving a roadway so that perhaps extra attention can be paid to the shoulder width and quality.

In 2001, CNHRPC published the Regional Bicycle and Pedestrian Plan which identifies bicycle and pedestrian systems in order to encourage these modes of travel and recreation. The Town of Salisbury can review this plan in order to identify possible improvements to the Bicycle and Pedestrian infrastructure of the Town.

Private Roads

Private roads are roads that have been constructed but, for various reasons, are not Town-owned roads. Currently, the Town's policy regarding private roads, their construction, maintenance, or the Town's acceptance of them is limited. Emergency services may also have concerns about their ability and duty to respond to calls for assistance from residents on private roads. Many communities do perform minimal maintenance and/or snow removal on private and Class VI roads, but the Town must understand and follow the State laws and case examples dealing with these activities.

In the NH case of *Clapp v. Town of Jaffery,* the Court supported the constitutional requirement that public funds be spent only for public purposes. The Court found that plowing of private roads would only be legal if the activity is secondary and incidental to the town and that those benefiting from the plowing reimburse the town so that no public funds are spent.

In 1994 the NH Legislature enacted RSA 231:59-a "Emergency Lanes" as a means for communities to provide snow removal and minimal maintenance to private and class VI roads. The RSA stipulates that for the town to undertake such maintenance, the road must be declared an "emergency lane". A public hearing must be held to declare any private road as such and notice be given to all those with an interest.

Class VI Roads

Municipal highways become known as Class VI roads if they are not maintained by the Town for five or more years, if they are voted as "discontinued subject to gates and bars" at Town Meeting, or, less commonly, if a strip of land which was not previously a roadway, is "laid out" subject to gates and bars under an old law. Regardless of the way a road became Class VI, the roads are not obligated to be maintained by the Town. Class VI roads "discontinued subject to gates and bars" at Town meeting (meaning the public still has the right-of-way) are different from roads that have been voted at Town Meeting as "discontinued" (meaning that the roadway is permanently no longer a public right-of-way).

State Statute addresses Class VI roads and any potential building along them in RSA 674:41. Under this RSA, section I(c), for any lot whose street access (frontage) is on a Class VI road, the issue of whether any building can be erected on that lot is left up to the "local governing body" (Town Selectmen) who may, after "review and comment" by the Planning Board, vote to authorize building along that particular Class VI road, or portion thereof. Without such a vote, all building is prohibited. Even if the Board of Selectmen does vote to authorize building, the law states that the municipality does not become responsible for road maintenance or for any damages resulting from the road's use. The purpose of RSA 674:41, I(c) is to prevent scattered and premature development. The 2005 Master Plan survey indicated that most respondents do not support development on Class VI roads within Salisbury.

Typically, Class VI roads are public rights-of-way that are used for recreational purposes, for through-travel, for driveway access, and for other uses such as agricultural and forestry activities. The Town is not liable for damages or injuries incurred while traveling on a Class VI road (RSA 231:93). In addition, the owners of the properties abutting the Class VI road are not liable for damages or injuries sustained to users of the road, although they may choose to maintain the road for access to their property. A Class VI right-of-way is one of the best types of rights-of-way to consider for a recreational trail system: there are no inherent liability concerns, the pathway has been established, and public access is allowed.

Gravel and Scenic Roads

Results from the Community Survey conducted at the beginning of the Master Plan process showed that 55% of respondents do not feel that the Town should implement a plan to pave Salisbury's gravel roads. Gravel and scenic roads help to retain a sense of history and the rural character which is so important to the residents of Salisbury. An option the Town may investigate to encourage the construction of roads that are appropriate for the anticipated use would be adopting flexible road design standards. Flexible road standards would allow the Town to allow the construction of different widths and types of roads based on the expected use of the road. For example, a low volume single family subdivision may only be required to build a shared single lane sixteen-foot gravel road while a residential subdivision over five lots may be required to build a twenty-two foot wide two lane paved road. Commercial or industrial uses may be subject to similar design standards based on the anticipated use and vehicle types. In May of 2004, UNH Technology Transfer Center published Recommended Technical Standards for New Roads which set out some minimum technical standards. The Planning Board, in consultation with the Road Agent and Roads Committee should review this document to develop new road standards appropriate for varying levels of development.

Similar to constructing roads based on the anticipated level of use, Salisbury could have different road construction requirements based on zoning or scenic designation. For example a road being constructed in a historic district may be required to have smaller lane widths and gravel shoulders. Guidelines could be established for scenic designated roads to limit the width of pavement when they are repaved or reconstructed. These options would serve as additional measures to help ensure that Salisbury retains the rural atmosphere that most of its residents enjoy.

In New Hampshire, communities have the ability to protect the character of specific scenic roads by enacting the provisions of RSA 231:157 at annual Town Meeting. Any Class IV, V, or VI highway can be designated a Scenic Road using the procedure in RSA 231:157. Ten people who are either Town voters or who own land abutting the road (even though not voters) may petition. The voters of the Town may vote at any annual or special Town Meeting to designate the road as a Scenic Road. A municipality may rescind its designation of a scenic road using the same procedure.

The effect that Scenic Road designation has is to legally require a hearing, review and written permission by the Planning Board before the Town or a public utility can remove (or agree to the removal of) stone walls, or can cut and remove trees with a circumference of 15 inches, at 4 feet from the ground (basal height). However, the Planning Board requirement has many exceptions. For example, the Planning Board may be bypassed - and only Selectmen permission is needed - if the Highway Agent wishes to cut trees that have been declared a "nuisance" under RSA 231:145-146, or which, in the Road Agent's opinion, "pose an imminent threat." Moreover a public utility can cut the trees for the "prompt restoration of service" without the permission of any town representatives (RSA 231:158, II). The Town could also require that the road agent take additional steps to notify abutters and interested organizations before cutting trees on any local road.

The Scenic Road law does not prohibit landowners from cutting trees or removing stone walls (RSA 231:158, IV). The only sure way to prevent owners or abutters from cutting trees is for the Town to acquire title to the highway strip, or by taking tree rights under the "Tree Warden" law (RSA 231:154). The law on stone walls as boundary markers (RSA 472:6) applies the same to landowners, whether or not the road is designated a Scenic Road.

In recognition of the fact that State law itself is not very stringent, the New Hampshire Legislature added RSA 231:158, V, in 1991 which gives a municipality broad power to impose scenic road regulations that are different from, or in addition to, those contained in the State law. These additional regulations could include giving protection to smaller trees or by inserting criteria for the Planning Board to use in deciding whether to grant permission. Though some critics of the law believe it to be too weak, RSA 231:157 remains one of the few techniques available for the preservation of culturally important and scenic roads.

The Currier & Ives Scenic Byway, a New Hampshire Scenic Byway starts on Route 127 at the Franklin town line and proceeds south through Salisbury into Webster, Hopkinton, Henniker and ending in Hillsborough.

Trails

Class A trails are considered full public trails subject to the restrictions imposed upon them at the time of designation; the Town permanently discontinues the road if it was a road to start with. The owners of abutting lands may use it for vehicular access to their property for existing, non-development uses. A Class B trail is identical to a Class A trail but disallows vehicular access by abutting landowners and would be more appropriate for a constructed trail. (RSA 231-A:1)

After acquiring permission from a landowner(s) and/or easement holder for use of a trail on their land, as well as agreeing on the specified restrictions, voters at Town Meeting can vote to designate any trail as a Class A or Class B trail. A trail can be so designated until the decision is rescinded or for a length of time as specified by the landowner(s).

In the case of designating a Class B trail on a Class VI road, the abutters need to be consulted and in some cases remunerated for any damages if the designation removes any of their prior access rights. In some cases, damages can also be sought by abutters for designation of a Class A trail. Generally, Class A trails are most appropriate for Class VI roads and former railroad rights-of-way (basically, pre-existing pathways) while Class B trails are most appropriate for constructed trails. (RSA 231-A:5)

The landowner(s), easement holder, the abutters, and Town agree upon what the trail will not be used for and these restrictions will be placed on the warrant article. Common restrictions include the prohibition of motorized vehicles on certain trails, or that a trail be used seasonally instead of year-round. The trail is then posted with the restrictions at the beginning and end of the trail, as well as at any trail junctions where the restrictions change. (RSA 231-A:1, 4, 5)

As long as the restrictions to a trail are clearly posted, any violation to the trails can be treated in the same manner as a traffic violation by local law enforcement. As most Police Departments cannot extend their resources to monitor all of the designated trails, often times the trail users, stewards, or abutters will report problems to the local law enforcement, who then would investigate the complaint. Although the rules of the designated trail are enforced by the Town, the trails themselves may or may not be maintained by the Town (RSA 231-A:4, RSA 265).

The Statutes provide many protective laws about liability, particularly where recreation is involved. Where users of designated trails are not charged a fee for the use of the trails, which will be the situation in the majority of cases, the liability of both the municipality and the landowner shall be limited, where the municipality/landowner will not be held responsible for personal injuries or property damages except where such damage is intentional. In addition, volunteers who maintain the trail, with prior recognition from the municipality as a volunteer of said trail, incur the same limited liability. The laws are the same for those trails that are not officially designated as Class A or B by the municipality. (RSA 212:34, 231-A:8, and 508:14)

Once a trail has been designated a Class A or B trail, it can be rescinded back to its original status in the same manner, by a vote at Town Meeting, as other road classifications can be changed. Where designated trails fall onto private property, the landowner(s) can at any time request that the designation be rescinded. The details are available in RSA 231-A:3.

Class VI roads and Class A & B trails are an important component of a Town's transportation infrastructure because they personify the community's rural character and provide vast recreational opportunities. Currently, ATVs are allowed on Class VI roads only by Selectmen's authority. They are not allowed on a Class V or better except to cross.

Parking

Parking is typically an element defined by the Zoning Ordinance and reviewed by the Planning Board during site plan review of commercial and multifamily site proposals. Salisbury's parking is defined in Article IV.D. in the Zoning Ordinance. This section allows the Planning Board flexibility to modify the requirements to meet the particular needs of each application.

Bridge Network

Bridges are a vital component of the highway system, as they connect road segments across streams, lakes, rivers, and other roads. Bridges are the most expensive sections of roads and the lack of adequate bridges creates transportation bottlenecks. Currently, there are a total of five municipally maintained bridges in Salisbury (Table VII-7)

Table VII-7

Location	Crossing	Notes
Mill Road	Blackwater River	Built in 1984
Mountain Road	Blackwater River	Built in 1900, rebuilt 1990
Warner Road	Blackwater River	Built in 1983
North Road	Brook	Built in 1990
Gerrish Road	Stirrup Iron Brook	Built in 1983

Municipally-Owned Bridges in Salisbury

Source: NH DOT Bridge List 1997

State owned and municipally owned bridges around the state are reviewed periodically by personnel from the New Hampshire Department of Transportation. During these reviews, the bridges are evaluated based on federal standards and guidelines. Any bridge that is shown to have structural deficiencies or other specific identifiers is placed on the "Red List". Every bridge on the Red List is inspected once (locally-owned) or twice (State-owned) annually to monitor any changes that may make the bridge unsafe. Salisbury currently does not have any red-listed bridges. The Mountain Road bridge, also known as the Pingree Bridge is on the Red List.

RECENT STATE AND LOCAL IMPROVEMENTS

State Improvements

The NH Department of Transportation and the State as a whole has adopted a long-range planning approach to the development and funding of transportation projects throughout the State. This process and resulting document is the statewide Transportation Improvement Program (TIP). A TIP is a comprehensive program that involves municipalities, regional planning commissions, the New Hampshire Department of Transportation, the Governor's Advisory Council on Intermodal Transportation (GACIT), the Governor and Legislature of New Hampshire, and the federal government.

The Ten Year Plan process typically starts at the regional planning commission level, although it is beneficial if the process is first initiated at the municipal level. All regional planning commissions within New Hampshire prepare a TIP every two years based on input from local municipalities, NHDOT, and each planning commission's Transportation Advisory Committee (TAC). The NHDOT then takes the regional TIPs and incorporates the projects with the highest level of support into the 10-Year Statewide Transportation Improvement Program (10-Year Plan), adding their own input and specific projects. From NHDOT, the GACIT, the Governor, and the Legislature review the 10-Year Plan. After final approval, the 10-Year STIP then becomes the transportation project guide for the upcoming years.

The New Hampshire Department of Environmental Services (NHDES) reviews the 10-Year Plan and provides comments to NHDOT. The Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), and the Environmental Protection Agency (EPA) review the first three years of the 10-Year Plan. Upon review of the document, these agencies verify that the projects meet all of the federal regulations and approve them for implementation.

At this time, Salisbury does not have any projects included in the current 2005-2014 Ten Year Plan.

Local Improvements

Paving: West Salisbury Road - 2005, 2006 Whittemore Road - 2007

Culvert: Hensmith Road – 2005

Future Transportation System - Long Range Plan

The Town should develop a long range plan to examine all of the roadways for future improvements and designate which roads should be developed as arterial roads and which roads would not add to the transportation circulation system and should not be encouraged for development. This would allow the Town to plan for and encourage development along the proposed arterials and ensure that the transportation circulation within Town and connection to other Towns is preserved. Development on other roads would then be discouraged and remain undeveloped or with minimal development.

TRANSPORTATION FUNDING OPPORTUNITIES

Federal Programs and Resources

The Safe, Accountable, Flexible and Efficient Transportation Equity Act of 2003 (SAFETEA)

In the spring of 2004 the reauthorization of the 1998 to 2003 Transportation Equity Act for the 21st Century came into focus. SAFETEA is the new parent legislation that will fund a variety of transportation programs including the Congestion Mitigation and Air Quality (CMAQ) Improvement Program and the Transportation Enhancement (TE) Program.

Transportation Enhancement Funds (TE)

The Transportation Enhancements Program (TE) is another viable source for improving roads in communities. Funding for the TE program is slightly more than \$3 million dollars in the State annually. These funds are provided in an 80/20 match, with the State paying for the majority of the project cost. Typical examples of projects eligible for TE funds include:

- Facilities for bicyclists and pedestrians;
- Safety and education activities for bicyclists and pedestrians;
- Acquisition of scenic easements and scenic or historic sites;
- Scenic or historic highway programs;
- Rehabilitation and operation of historic transportation buildings, structures, and facilities;
- Preservation of abandoned railway corridors; and
- Establishment of transportation museums.

Congestion Mitigation and Air Quality Funds (CMAQ)

The Congestion Mitigation and Air Quality program (CMAQ) is another viable source for improving roads in communities. Funding for the CMAQ program is in the vicinity of \$10 million dollars in NH biennially. These funds are also provided in an 80/20 match, with the State paying for the majority of the project cost. Projects applying for CMAQ funds must demonstrate a benefit to air quality and often include sidewalk, transit, and rail projects.

Federal Aid Bridge Replacement Funds

These funds are available for the replacement or rehabilitation of Town-owned bridges over 20 feet in length. Matching funds are required and applications for funding are processed through the NHDOT's Municipal Highways Engineer.

State Funding Resources

Highway Block Grants

Annually, the State apportions funds to all cities and towns for the construction and maintenance of Class IV and V roadways. Apportionment "A" funds comprise not less than 12% of the State Highway budget and are allocated based upon one-half the total road mileage and one-half the total population as the municipality bears to the state total. Apportionment "B" funds are allocated in the sum of \$117 per mile of Class V road in the community. Block grant payment schedules are as follows: 30% in July, 30% in October, 20% in January, and 20% in April. Any unused funds may be carried over to the next fiscal year.

Municipal Highway Aid

This program creates an opportunity for municipalities and the state to invest in the secondary state highway system. By providing a local match, towns can work with the state to make improvements on some of the major roads through a community. While the town is paying for a portion of the improvements to a state road, the benefits are an improved travel way for local residents and regional commuters as well as completing the project much sooner than it may have otherwise been.

State Bridge Aid

This program helps to supplement the cost to communities of bridge construction on Class II and V roads in the State. Funds are allocated by NHDOT in the order in which applications for assistance are received. The amount of aid a community may receive is based upon equalized assessed valuation and varies from two-thirds to seven-eighths of the total cost of the project.

Town Bridge Aid

Like the State Bridge Aid program, this program also helps communities construct or reconstruct bridges on Class V roads. The amount of aid is also based upon equalized assessed valuation and ranges from one-half to seveneighths of the total cost of the project. All bridges constructed with these funds must be designed to support a load of at least 15 tons. As mandated by State Law, all bridges constructed with these funds on Class II roads must be maintained by the State, while all bridges constructed on Class V roads must be maintained by the Town. Any community that fails to maintain bridges installed under this program shall be forced to pay the entire cost of maintenance plus 10% to the State Treasurer.

Local Sources of Transportation Improvement Funds

Local Option Fee for Transportation Improvements

New Hampshire RSA 261:153 VI (a) grants municipalities the ability to institute a surcharge on all motor vehicle registrations for the purpose of funding the construction or reconstruction of roads, bridges, public parking areas, sidewalks, and bicycle paths. Funds generated under this law may also be used as matching funds for state projects. The maximum amount of the surcharge permitted by law is \$5, with \$0.50 allowed to be reserved for administering the program.

Impact Fees

Authorized by RSA 674:21, communities can adopt an impact fee ordinance to offset the costs of expanding services and facilities that must be absorbed when a new home or commercial unit is constructed in Town. Unlike exactions, impact fees are uniform fees administered by the building inspector and are collected for general impacts of the development, as opposed to exactions that are administered by the Planning Board and are collected for specific impacts unique to new site plans or subdivisions on Town roads. The amount of an impact fee is developed through a series of calculations. Impact fees are charged to new homes or commercial structures at the time a building permit is issued.

When considering implementing an impact fee ordinance, it is important to understand that the impact fee system is adopted by amending the Zoning Ordinance. The law also requires that communities adopting impact fees must have a current Capital Improvements Program (CIP). Lastly, State law also stipulates that all impact fees collect by a community must be used within 6 years from the date they were collected, or else they must be refunded to the current property owners of the structure for which the fee was initially collected.

Capital Reserve Funds

This is a popular method to set money aside for future road improvements. RSA 35:3 mandates that such accounts must be created by a warrant article at Town Meeting. The same warrant article should also stipulate how much money will be appropriated to open the fund, as well as identify which Town entity will be the agent to expend the funds. Once established, communities typically appropriate more funds annually to replenish the fund or to be saved and thus earn interest that will be put towards large projects or expenditures in the future.

SUMMARY

Salisbury's transportation infrastructure is an important component of the rural character of the Town. Respondents of the Master Plan survey have expressed maintaining the rural, small town character and atmosphere as important goals. As such, the goals and objectives of this transportation chapter include recommendations that will preserve and enhance these qualities.

Many tools are available to Salisbury to meet the objectives of this chapter. It is recommended that a transportation infrastructure capital improvements plan be developed to help guide the future maintenance and improvement of the roads in Salisbury. In addition, this plan should address the pedestrian and recreational uses of public ways and trails within Salisbury.

In cooperation with regional and state agencies, review of transportation statistics such as traffic counts, accident incidents and speed surveys, will help identify the functional classification of the roadways in Salisbury.

Use of these data will assist in identifying where important Town resources should be focused for a range of different improvements. Accident, speed and traffic data can assist in identifying areas of safety concern. Functional classification can assist in identifying which areas are most appropriate to encourage pedestrian and recreational improvements.

All of these data will help identify areas in town that are most likely to be affected by development growth. The use of exactions and adoption of an impact fee ordinance should be considered in conjunction with the development of a transportation infrastructure capital improvements plan.

MAPS

Transportation Base Map - Private, Gravel, Class VI, Class V, Scenic Roads, Bridges, Accident Locations, Traffic Count Locations