



SOUTH HILL RECREATION WAY

Driveway/Trail Shared Use Cases



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Compiled by Chris Hayes, MRP '12
with help from
Parks and Trails of New York
City of Lexington Conservation Commission
Genesee Transportation Council MPO

Street level imagery provided by
Google



EXECUTIVE SUMMARY

The rail bed at the western edge of the proposed expansion currently serves as driveway access to a home and farm adjacent to the rail bed. The property owner currently has a use agreement with the rail bed owner, NYSEG. This approximately fifteen-foot wide access point is the only existing culvert over two small creeks that feed into Six-Mile Creek. Therefore, trail construction requires either a shared-use driveway/trail for part or all of the 800 feet of railbed the driveway uses or construction of a new culvert for the driveway or trail.

The current scope of this proposed trail project is to extend the South Hill Recreation Way two miles east from its eastern terminus to the intersection of Banks Road in the Town of Caroline.

The current landowner at the area of study has reported to Town planning staff that trail users already mistake his driveway as an extension of the trail and follow it to his property. He has concerns about privacy and safety. Any solution would need to mitigate these concerns.

To aid in determining the best method to extend the trail, Design Connect made an inventory of ownership and conducted case studies on other trails that followed homeowners' driveways for short lengths. In the three cases in which the driveways were actively used, little vehicle/user conflict was reported. The only complaints public agencies heard were about level of maintenance, rather than about users of the trail.

In all cases, the trail continued in a straight line while the driveways curved off. In the rural cases, public agencies relied on this geometry as a cue for trail users to stay on the trail. In the suburban areas, striping or signage was used to indicate when the trail was shared and to stay on the trail. In one case, the driveway was indicated on trail maps.

In addition, driveways predated the trails in every case. Landowners either had agreements or easements with railbed owners or had previously negotiated with public agencies for Right of Way. Regardless of prior arrangements, the public agency creating the trail would maintain the shared driveway/trail. In all cases, the Right of Way is now owned by the agency maintaining the trail or another public agency.

The cases suggest that it is possible to have a safe, shared driveway/trail on trails with light to moderate use. Proper maintenance and trail etiquette is key for good homeowner/public agency relations. Although the ideal solution would be to separate driveway and trail traffic through construction of a second culvert, if this proves to be prohibitively expensive, a shared driveway/trail could be a workable solution.

The following case studies contain contact information for follow-up questions. Next steps should include scoping discussions with neighboring landowners and NYSEG.



GENESEE VALLEY GREENWAY TRAIL

CONTACT

Dave Herring, Capital Facilities Regional Manager 2, Western District, David.Herring@parks.ny.gov, Ph. (585) 493-3602

Fran Gotcsik, Director of Programs and Policy, Parks and Trails of New York, fgotcsik@ptny.org, Ph. (518) 434-1583

CONTEXT

Rural: Town of York, New York

TREATMENT

No signage. The trail goes straight while the driveway curves off, making it clear to follow the trail.

COMPLAINTS/CONFLICTS

A common source of conflict when right-of-way is shared on the Greenway Trail is ROW maintenance. Maintenance responsibility varies from agreement to agreement. In this case, the state maintains the ROW, and the owners have little complaint because of the benefit of state-sponsored culvert construction and maintenance. No vehicle-pedestrian-bicycle conflicts have been reported. The trail has a low amount of traffic.



Entrance to shared driveway/
trail on Fowlerville Road

DESCRIPTION

Trail follows driveway for approximately 600 feet.

A driveway serving two residences follows the rail corridor north from Fowlerville Road for several hundred feet. One of the property owners had an agreement with the utility company which owned the rail corridor to use it as a driveway. When New York State Department of Environmental Conservation acquired the corridor to create the Genesee Valley Greenway Trail, they acquired this agreement as well. According to Fran Gotcsik, “One of the aspects of the property acquisition was that RG&E and DEC tried to resolve all encroachments or driveway or farm lane needs prior to the state taking title. RG&E was to negotiate the arrangements to accommodate existing conditions so that the state would take title with those encumbrances. After the state takes title, the state really can’t sell off or grant private use of state land as it would be alienation of park land. ... The only way to get around that is for a landowner to introduce a bill in the legislature, which has happened in a few cases with the Greenway.”

In addition, the Greenway is used as farm access with little conflict. According to Dave Herring, “The Farmers access was dealt with as agricultural access as a prior use and allowed to continue as long as it continued to be farmed. Should the property not be farmed there would need to be an agreement/lease with the new owner(s).”

MORE INFORMATION

On Google Maps: <http://goo.gl/maps/x2aG>



UPPER VINE BROOK – COTTON FARM TRAIL

CONTACT

Conservation Commission, conservationcomm@lexingtonma.gov,
Ph: (781) 862-0500 x226

CONTEXT

Suburban: City of Lexington, Massachusetts

TREATMENT

The trail map clearly specifies where the trail departs from the driveway and directs users not to follow driveway to the private residence. A post-and-rope fence runs along the private property boundary and a “Only Private Vehicles” sign is posted at the entrance to the private property.

COMPLAINTS/CONFLICTS

The amount of truck traffic generated by homeowner’s landscape business exceeded Lexington’s expectations, leading to some pedestrian discomfort but no accidents.

In addition, hikers would occasionally follow the curve of the driveway into private property. Post-and-rope fence and sign were added and no further conflict was reported.

Some minor conflicts have occurred because exact maintenance responsibilities were not clearly designated in the agreement. Currently, homeowner maintains ROW.



Entrance to shared driveway/
trail on Marret Road

DESCRIPTION

Trail follows driveway for approximately 600 feet.

Private homeowners wished to sell the City of Lexington 4.2 acres in 2011, facilitating a trail from Highland Avenue to Marret Road. The portion of the homeowner's driveway in the transferred parcel would become the southern section of the trail. The homeowners wished to maintain access, so a Use Agreement was signed that would expire when the homeowners sell the remainder of the property. The trail continues across the street.

Lexington Conservation Commission reports that it took a full year of active public outreach through newspapers and other outlets until pedestrians were comfortable entering the trail. Many were uncertain if it was a public or private way when first installed.

Lexington faced a similar problem when a homeowner constructed a driveway on an unconstructed "paper street" that was used as a trail. Lexington posted "conservation area entrance" signage at the beginning of the trail and discussed the trail's public-use status with the homeowner. No conflicts have been reported.

MORE INFORMATION

On Google Maps: <http://goo.gl/maps/25Se>

More about the trail: http://www.lexingtonma.gov/conservation/Conservation%20Land%20Maps/Upper_Vine_Brook_Cotton_Farm.pdf



PLEASANT GROVE CREEK TRAIL

CONTACT

Michael Dour, Alternative Transportation Analyst – Bikeways, City of Roseville, mdour@roseville.ca.us, Ph: (916) 774-5293

CONTEXT

Suburban: City of Roseville, California

COMPLAINTS/CONFLICTS

None, house has not been built yet. However, a second access to the home is planned, giving homeowners flexibility in access to their house. No conflicts have been reported at junction, and construction vehicles have used trail access without incident.

TREATMENT

The trail and driveway are kept separate as much as possible with asphalt curb, signs, and striping. At a junction where users have to cross both trail and driveway, post and cable fencing and reflectors were used. Signs are also used to notify shared use in the two locations where the driveway and trail are not separate.



Vehicle on approach to bridge



Entrance to shared driveway/
trail on Woodcreek Oaks Blvd.

Front cover photo depicts
entrance to property.

DESCRIPTION

Trail follows driveway for approximately 180 feet over a bridge, approximately 80 feet near a road junction.

A trail in a low-density suburban area travels alongside a driveway for several hundred feet, but must share space with the driveway as it crosses over a ravine. The house has not been built yet, and the arrangement between the property owner and the City of Roseville is unknown.

MORE INFORMATION

On Google Maps: <http://goo.gl/maps/Db1v>



NEW YORK CENTRAL WEST SHORE BRANCH TRAIL

CONTACT

Robert Torzynski, Program Manager - Bicycle & Pedestrian Planning, Genesee Transportation Council MPO, rtorzynski@gtcmpo.org, Ph: (585) 232-6240

CONTEXT

Rural: Village of Churchville, New York

COMPLAINTS/CONFLICTS

Mr. Torzynski finds that most concerns in shared ROWs are about liability, but trails should not increase liability to private owners. He noted, “As far as maintenance, this would depend on who ‘owns’ the trail. Usually, the public agency would be responsible for maintaining the trail.”

TREATMENT

Mr. Torzynski is uncertain on the details of this segment, but advises care should be taken to mark the Burns Road crossing “very well,” as it moves from a simple trail into a shared driveway/trail. In addition, signage delineating public from private property is important.



Bing Maps aerial of shared driveway/trail

DESCRIPTION

Trail follows driveway for approximately 150 feet.

Although the West Shore Branch Trail has not been fully implemented and this segment may or may not be included, this case is nevertheless exemplary of the informal and formal agreements of trails in the area. According to Mr. Torzynski, “If the trail construction is funded with non-federal funds a “handshake agreement” would probably suffice although this would depend on the wishes of the funders. It’s my understanding that the Finger Lakes Trail Conference uses lots of handshake agreements or informal written agreements. The more informal the agreement the easier it is to get landowners to sign.” He advises federally-funded trails require an irrevocable easement that lasts the useful life of the trail, usually 20 years.

MORE INFORMATION

On Google Maps: <http://goo.gl/maps/JfAj>

More about the trail: <http://www.gtcmppo.org/Docs/PlansStudies/WestshoreTrailStudy.pdf>

