

## Amy Harvey

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**From:** Jeanette Coffin  
**Sent:** Friday, February 25, 2022 3:10 PM  
**To:** wpein@nc.rr.com  
**Cc:** Colleen Willger; Adam Searing; Amy Ryan; Camille Berry; Jeanne Brown; Jess Anderson; Karen Stegman; Michael Parker; Pam Hemminger; Paris Miller-Foushee; Tai Huynh; Amy Harvey; Ann Anderson; Carolyn Worsley; Laura Selmer; Loryn Clark; Mary Jane Nirdlinger; Maurice Jones; Ran Northam; Ross Tompkins; Sabrina Oliver  
**Subject:** FW: Estes Drive  
**Attachments:** Estes Drive.pdf

Thank you for your correspondence with the Town of Chapel Hill. The Mayor and Town Council are interested in what you have to say. By way of this email, I am forwarding your message to the Mayor and each of the Council Members, as well as to the appropriate staff person who may be able to assist in providing additional information or otherwise addressing your concerns.

Again, thank you for your message.

Sincerely,

Jeanette Coffin

Jeanette Coffin  
Office Assistant  
Town of Chapel Hill Manager's Office  
405 Martin Luther King Jr. Blvd.  
Chapel Hill, NC 27514  
(o) 919-968-2743 | (f) 919-969-2063

-----Original Message-----

**From:** Wayne Pein <wpein@nc.rr.com>  
**Sent:** Friday, February 25, 2022 3:05 PM  
**To:** Town Council <mayorandcouncil@townofchapelhill.org>  
**Subject:** Estes Drive

External email: Don't click links or attachments from unknown senders. To check or report forward to [reportspam@townofchapelhill.org](mailto:reportspam@townofchapelhill.org)

Dear Mayor and Town Council,

Petition: Do not reconstruct Estes Drive as proposed. I provide the attached paper as justification with alternatives.

Wayne

# Estes Drive Proposed Bicycle Facilities



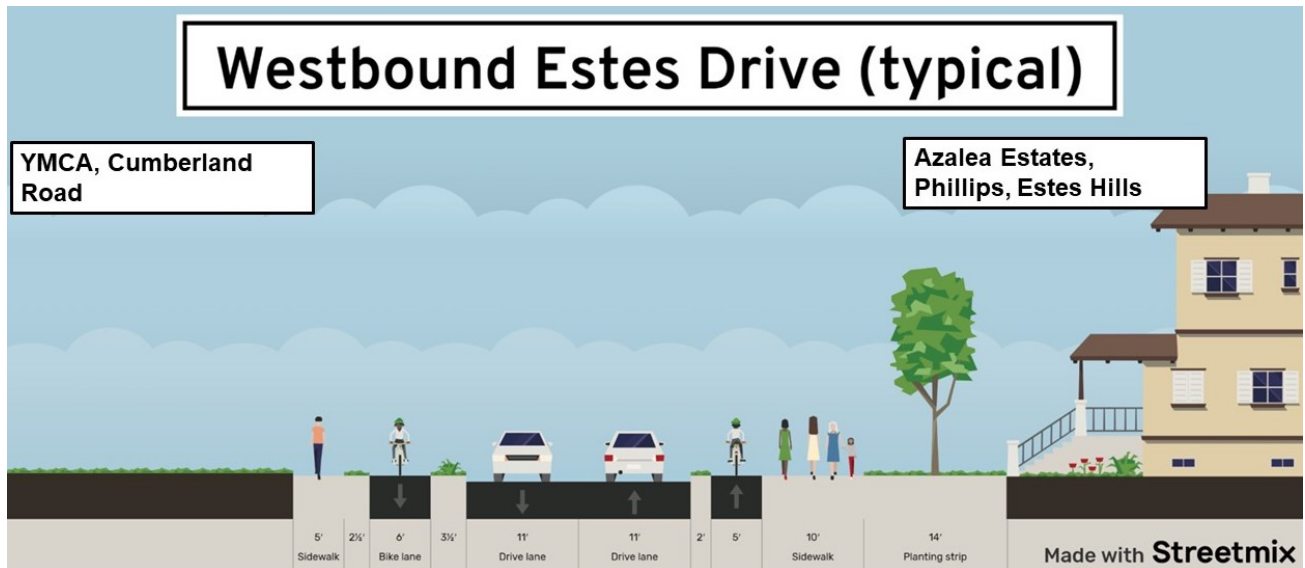
Wayne Pein

[wpein@nc.rr.com](mailto:wpein@nc.rr.com)

February 25, 2022

## Introduction.

According to the project website, the proposed 6 million dollar Estes Drive redesign features two similar types of separated bicycle facility: one-way “raised bike lanes” on both sides and a 2-way multi-use paved path on the north side. Both types of facility create dangerous conflicts and remove bicyclists’ rights literally and practically by necessitating pedestrian style behavior.



Town drawing. “Bike Lane” is a misnomer. I call it “Sidebike,” like a sidewalk for bikes. The “Sidewalk” on the right (north) side is really a Multi-use Path for bicyclists and pedestrians.

## Raised Bike Lane.

There is no such thing as a “raised bike lane.” In NC the definition of a “roadway” is a vehicle facility<sup>1</sup>, and does not include shoulders or sidewalks. Lanes are often marked on the roadway. Vehicle drivers can change lanes, make vehicular style left turns, and have the right-of-way over driveway users.

In a Zoom presentation, the Town’s Transportation Planning Manager Bergen Watterson correctly characterized the “raised bike lanes” as “Like sidewalks for bicyclists.” I will refer to them as “Sidebikes.” As with sidewalks, the Sidebikes are grade separated behind the curb and gutter and not part of the roadway, and suffer the same driveway and intersection conflicts, uneven transitions, and undulations.

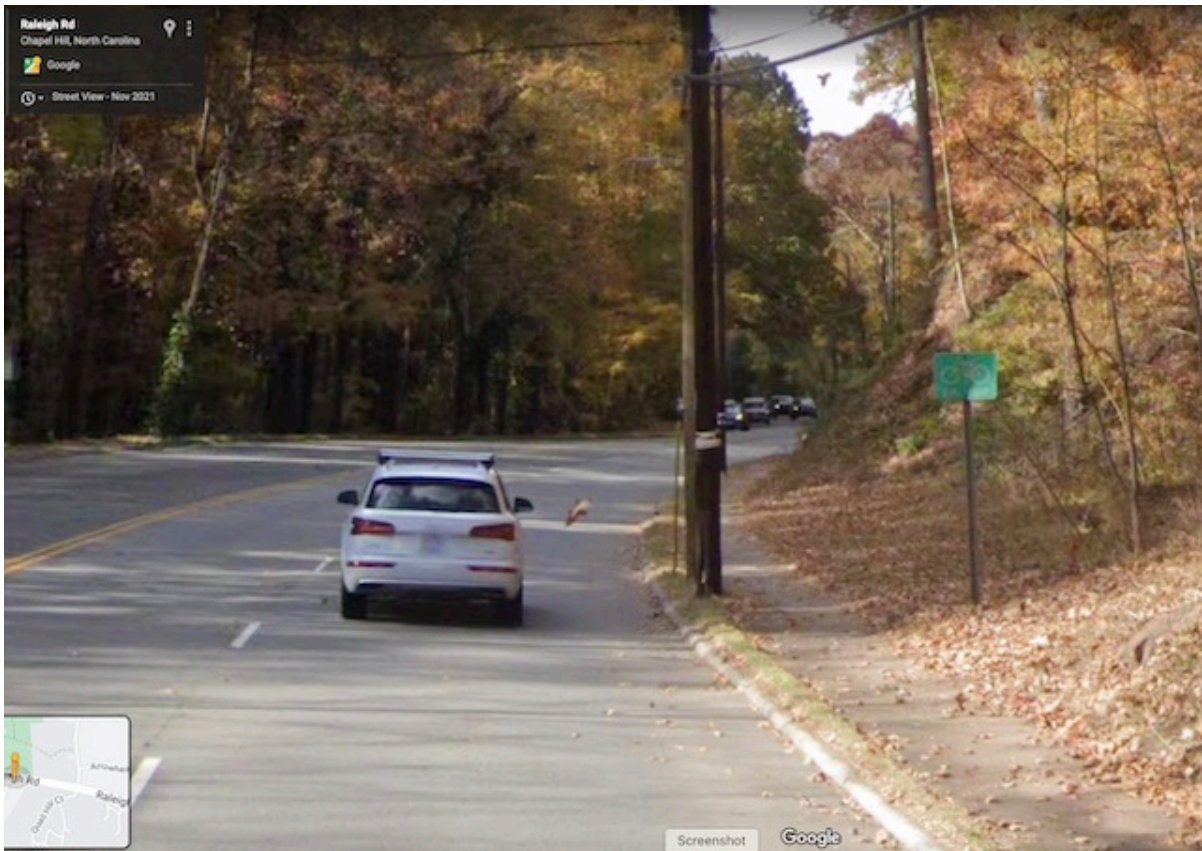
### **Drivers vs Pedestrians.**

NC §20-4.01.(49), §20-171.1., and §136-71.7., and Chapel Hill Sec. 21-45 define bicyclists as drivers of vehicles. Drivers and pedestrians have different performance characteristics and operating rules and needs.

Bicycle drivers are on single track vehicles, require braking distance, stopping sight distance, maneuvering space, and shy buffers. They can do 20-35 mph (29-51 ft/s). There are fast e-bikes. Bicyclists are entitled to full travel lane use. Pedestrians can stop and move sideways or backwards almost instantly, face traffic when in the road, and use sidewalks when available.

### **Long Term Background.**

In 1978 major uphill sidewalks in Chapel Hill were labeled with green “Bike Path” signs. This flouted design and NCDOT Bicycle Policy<sup>2</sup> guidelines, there was high conflict and crash rates with crossing motorists, and bicycle drivers lawfully using the roadway were likely to be targets of aggression by motorists and police who enforced that they should be on the “Bike Paths.” The Town Council voted to remove the signs in 2000



Nov 2021 Google Streetview image capture of a still existing Bike Path sign on Raleigh Road. In 2007 I reminded 4 Town officials to remove this.<sup>3</sup>

**Required Measures of Effectiveness.**

*“...In order to use available funds efficiently, each finding shall include measures of cost-effectiveness and safety-effectiveness of any proposed bicycle facility.”* NCDOT Bicycle Policy

Estes Drive (SR 1750) is on the State roadway system. But no required measures of effectiveness, conflict analysis, or concept of operations has been made public by NCDOT or the Town of Chapel Hill.

But by considering the potential movements and tasks of users, one can see that the proposed Estes Drive facilities will exceed the bad old days of “Bike Path” sidewalks by having the combined complications of Sidebikes, sidewalks, and a parallel multi-use path with two directions of mixed bicyclists and pedestrians.



Cycling Savvy<sup>4</sup> graphic depicting common sidepath crash mechanisms: Left Cross, Right Hook, and DriveOut . Estes Drive would add pedestrians and a separate Sidebike to this scenario.

### **Manufactured Conflicts.**

With the proposed bicycle facilities, every junction becomes a right angle conflict point for bicyclists with motorists turning off Estes Drive and those exiting driveways.

Left-turning eastbound motorists must cross 4 separate lines of traffic on the north side of Estes: motor vehicle/bicycle/2-way bicycle-pedestrian. Motorists will be looking for a gap in dense motor traffic and accelerate through a gap. They may immediately encounter unseen bicyclists on the Sidebike obscured by westbound motor vehicles followed by users on the multi-use path. Westbound right-turning motorists will cross 3 lines of adjacent, non-motorist traffic. For both east and westbound directions, motorists can encounter bicyclists on the path coming from behind them.

### **Loss of Right of Way and Road Rights.**

*G.S. 136-18. Powers of Department of Transportation.*

*(5) ...Provided, no rules, regulations or ordinances shall be made that will conflict with any statute now in force...*

*G.S. 20-169. Powers of local authorities.*

*Local authorities, except as expressly authorized by G.S. 20-141 and 20-158, shall have no power or authority to... enact or enforce any rules or regulations contrary to the provisions of this Article,...*

Compelling bicycle drivers to operate like pedestrians is in conflict with statutes defining bicycle operators as vehicle drivers with driver rights. On Sidebikes, to make a left turn bicyclists must stop and cross at right angles like pedestrians. Thru-bicyclists' right-of-way is also removed. Motorists waiting to enter Estes Drive at driveways and intersections will pull up to the roadway, stop, and block the Sidebikes, forcing bicyclists to yield or stop, at best. Again, each junction is a conflict point greatly risking right-angle collision.

Two types of adjacent, pedestrian-style bicycle facilities were chosen by the Town with the explicit purpose to remove bicyclists from the roadway. These labeled bicycle facilities broadcast a powerful implicit "rule" to all that bicyclists must use them and not the roadway. Though bicyclists are not required to use them and may still use the roadway, bicycle facility use is strongly enforced by misguided, aggressive, and overtly hostile motorists.

### **Ride Quality.**

At every junction — there are at least 15 on the south side — the raised Sidebikes will ramp down to roadway level then back up to Sidebike level. This is like an inverted Speed Table, making the ride unpleasant and slower. One can examine the poor ride quality of existing junction cuts of sidewalks, including the past sidewalk “Bike Paths.”

### **Alternatives.**

35 mph motorist speed appears to be the real concern for some behind any proposed road alterations. Lower the speed limit. Place Speed Tables, and use them as crosswalks where indicated. Accurately designed — unlike those labeled 15 mph around Chapel Hill — they enable 25 mph.

Instead of adding costly Sidebike width, bicycle drivers should remain integrated into the traffic stream rather than being reframed and segregated as rolling pedestrians. As with other sidewalks around Town, bicyclists can choose to use them where not prohibited.

While better than Sidebikes, conventional bike lanes would not negate the Left Cross collision risk. Added Sidebikes or Bike Lanes both create a pseudo four-lane road, reduce vantage and visibility between bicyclists and motorists, and enable faster motoring by removing bicyclists from the roadway. In the case of Bike Lanes, it's a shoulder with a name that acts as a recovery area to enable higher speed.

Shared Lane Markings should be placed at lane centers and Bicyclists May Use Full Lane signs (R4-11) erected in support of bicycle drivers' right to the roadway, whether or not bicycle specific facilities are added. Separated facilities that consider and reduce bicycle drivers to pedestrians-on-wheels demand compensatory measures to mitigate the damage.

The proposed Multi-use Path should be distanced from Estes Drive to provide stopping distance and motorist stacking space between it and the roadway.

The current path on the south side of Estes could be reconstructed for bicyclists uncomfortable using the roadway. Its neglect for many years though doesn't bode well for the future maintenance of proposed facilities.

## Notes

1. [https://www.ncleg.gov/enactedlegislation/statutes/pdf/bysection/chapter\\_20/gs\\_20-4.01.pdf](https://www.ncleg.gov/enactedlegislation/statutes/pdf/bysection/chapter_20/gs_20-4.01.pdf)

2. NCDOT Bicycle Policy: *“Although separate bicycle facilities (e.g., bike paths, bike trails) are useful under some conditions and can have great value for exclusively recreational purposes, incorporation of on road bicycle facilities (e.g., bicycle lanes, paved shoulders) in highway projects are preferred for safety reasons over separate bicycle facilities parallel to major roadways.”*  
[https://www.ncdot.gov/divisions/bike-ped/Documents/bikeped\\_laws\\_Bicycle\\_Policy.pdf](https://www.ncdot.gov/divisions/bike-ped/Documents/bikeped_laws_Bicycle_Policy.pdf)

3. Subject: Bike Path signs

From: Wayne Pein <[wpein@nc.rr.com](mailto:wpein@nc.rr.com)>

Date: Mon, 13 Aug 2007 12:00:03 -0400

To: Jim Ward <[wardjl@email.unc.edu](mailto:wardjl@email.unc.edu)>, "Edward C. Harrison"

<[ed.harrison@mindspring.com](mailto:ed.harrison@mindspring.com)>, Kumar Neppalli

<[kneppalli@townofchapelhill.org](mailto:kneppalli@townofchapelhill.org)>, David Bonk <[dbonk@townofchapelhill.org](mailto:dbonk@townofchapelhill.org)>

Gentlemen,

There are two Bike Path signs on the westbound sidewalk of Raleigh Rd/54 approaching campus. One is at Greenwood Rd and the other is about half way up the hill. Several years ago these sidewalk Bike Path signs throughout town were to be removed by Council decree. Can these two be removed before even more of the public is misinformed by these relics from the misguided past?

Regards,  
Wayne

4. <https://cyclingsavvy.org/road-cycling/>