

SCARSDALE FORUM INC.

**Report of the Municipal Services Committee
On
Update to Scarsdale Forum 2015 and 2018 Traffic Reports**

The Scarsdale Forum Inc. Municipal Services Committee (the “Committee”) proposes the following resolution for adoption by the Scarsdale Forum:

RESOLVED, that the Report of the Committee recommending that the Village of Scarsdale should promote motorist, pedestrian, cyclist and public health, safety and welfare, by:

1. lowering the maximum allowable area speed limit from 30 mph to 25 mph on all Village roads as New York State law allows, or, in the absence of such enabling legislation, lowering the speed limit on linear segments of certain roads; and
2. allocating appropriate resources to increase enforcement, to implement comprehensive strategies and improvements in signals, signage and road infrastructure, and to engage independent planning consultants as necessary; and
3. conducting a “Safety in Scarsdale” or “Driving in the Dale” campaign to communicate the importance to all roadway users of practicing safety on Village roads, be approved.

SUMMARY

This Report is a follow up to two prior Scarsdale Forum Committee Reports, issued in 2015 and 2018, in accordance with the Committee’s authority under Scarsdale Forum By-Laws Art. VI.6.1(g): “to monitor action on and response to their reports. . .by the governmental organizations or private agencies to which such reports have been forwarded.”¹ In 2019, Scarsdale Forum reached out to its membership and to the wider public on social media for additional input from Scarsdale residents about their concerns about traffic safety on Village roads. Those public responses are reflected in this Report.

¹ See Scarsdale Forum Municipal Services Committee: Report on Traffic Assessment, Safety and Improvement (Nov. 2015), at <https://www.scarsdaleforum.com/Reports/Download/560> (“Scarsdale Forum 2015 Traffic Report”); and Traffic Survey Report (Jan. 2018), at <https://www.scarsdaleforum.com/Reports/Download/684> (“Scarsdale Forum 2018 Traffic Survey Report”). Many of the Committee’s recommendations on traffic calming and lowering the speed limit appear in the January 2018 Traffic Survey Report on page 21-27, including footnotes 7-24. Over 700 Scarsdaliens responded in writing to the survey. Speeding was cited by many survey respondents, most of whom are Scarsdale residents, as one of their top traffic concerns (pages 14, 16 and 17).

The Committee acknowledges that there have been many new traffic calming measures implemented by the Village since publication of the earlier Reports. More signals and signage alone, however, appear not to have incentivize better, safer, more compliant behavior by roadway users, and not just in the Village Center. For just one example, green signal arrows that were intended to ease traffic flow have instead encouraged motorists to advance into intersections that are already gridlocked, adding to queuing when the signals cycle to red. Traffic backed up on East Parkway does not prevent traffic turning from both directions on Popham Road from “blocking the box.” Stop signs do not appear to incentivize motorists to make an actual full stop as required, even when pedestrians are waiting to cross the street. Pedestrians do not always use crosswalks, and cyclists do not always adhere to the rules of the road.

Many infractions are so persistent and cause so many impediments to traffic flow and pedestrian safety, for example speeding, texting while driving, failure to yield to pedestrians especially while they are still in crosswalks, illegal U-turns, failure to actually stop at stop signs and the rolling “stop,” and acceleration to beat red signals, that more active enforcement at numerous locations and a zero tolerance policy should be considered. The Committee also acknowledges, as did Village consultants, that enforcement cannot be expected to be present 24/7, but notes that one consultant suggested “the Village should consider diligent enforcement of vehicular and pedestrian traffic regulation to further reinforce the necessity of adhering to proper traffic safety practices.”²

It is possible that traffic cameras and flashing speed violation radar signals may be needed at more than a few locations to incentivize motorists not to block the box, not to run red lights, and not to speed over the posted limits. Failure to yield to pedestrians, cyclists and waiting school buses would require other kinds of intervention and enforcement. Ultimately, it is important for the public to practice safety on the roads as a shared responsibility of all users.³

To be sure, studies support the notion that changing public attitudes about safety on the roads over time lead to an appropriate response from government:

“Forty years ago, the public tolerated impaired driving and didn’t recognize the importance of seat belts in traffic safety. Through the concerted efforts of ordinary people and organizations such as Mothers Against Drunk Driving (MADD), assisted by DOT and other stakeholders, the culture changed. Impaired driving is no longer tolerated by the public and today, the vast majority of drivers use seat belts and child safety seats. Similar joint efforts are now changing the public’s acceptance of distracted driving. It is now time to address the issue of speeding and work to increase the public’s understanding of the dangers of speeding and the importance of complying with appropriately set posted speed limits.”⁴

² TRC Raymond Keyes Associates, “Technical Memorandum, Popham Road/Village Center Pedestrian Safety Analysis,” page 31 (July 2005), at <https://www.scarsdale.com/documentcenter/view/871> (“2005 TRC Technical Memorandum”).

³ Scarsdale Advisory Council on Communications, “Who is Responsible for Pedestrian Safety?” (Posted on December 12, 2018), at <https://www.scarsdale.com/CivicAlerts.aspx?AID=341>.

⁴ National Highway Traffic Safety Administration, Federal Highway Administration, & Federal Motor Carrier Safety

For safe Village streets to become a reality, risky motorist behavior needs to be addressed beginning with curbing the culture of speeding. All roads are involved. Side streets are frequently used for the purpose of bypassing the signaled roadways. Indeed, GPS apps such as Waze and Google Maps route drivers through these side streets. According to feedback to the Committee from residents, speeding is routine on bypass routes such as Autenrieth Road, a Village Center connector between the heavily traveled east-west corridors of Crane and Popham Roads; Foxhall and Brookby Roads in Heathcote, quiet residential side streets used to bypass the 5-Corners intersection; and Brewster Road where parents drop off and pick up their children at the Greenacres school, while other motorists attempting to avoid Fenimore Road gridlock create more problems negotiating around the dropoff/pick-up activity at the school. The Village Hall parking lot has also become a convenient bypass route for motorists in a hurry, connecting Crane and Popham Roads.

Incidents and conditions listed here are not intended to be an exhaustive study of all traffic problems that exist in Scarsdale. Other traffic issues may be found in the Committee's two prior comprehensive reports. Instead, the purpose of this Report is to provide some practical recommendations about strategies to calm traffic, to identify some of the more troublesome hot spots, and to recommend that Village budget allocations be increased accordingly to improve conditions on Scarsdale's 79 miles of roads and 25 miles of walkways.⁵

Above all, the Committee continues to recommend that improving the motorist, pedestrian and cyclist experience and public safety in this increasingly vehicle-centric environment should remain a Village priority.

LOWER AREA SPEED LIMIT

This Committee previously advocated for lower linear speed limits on Scarsdale's streets. As noted in response to the Committee's 2018 traffic survey, in letters and public comments to the Village Board and the Scarsdale Police Department, and on social media, the community is in favor of the Village addressing speeding, implementing traffic calming methods, and enforcing traffic violations on Village streets that create unsafe conditions and undermine the quality of life in the Village.⁶

The notion that lowering the speed limit to 25 mph would impede the normal and reasonable flow of traffic in the Village is not supportable, when the objective is to promote the

Administration, "SPEED MANAGEMENT PROGRAM PLAN INITIATIVE UPDATE," Executive Summary page 3 (2014), at <https://www.nhtsa.gov/document/speed-management-program-plan> ("NHTSA Speed Management Program").

⁵ Scarsdale Village Department of Public Works, at <https://www.scarsdale.com/292/Highway>. For regulations on traffic control in New York State, see New York State Department of Transportation ("NYSDOT"), Manual on Uniform Traffic Control Devices ("MUTCD") ("Traffic control devices in New York on all streets, highways, bikeways, and private roads open to public travel are currently regulated by two documents: the National Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD) and 17 NYCRR Chapter V (New York Supplement), at <https://www.dot.ny.gov/divisions/operating/oom/transportation-systems/traffic-operations-section/mutcd>.

⁶ "In general, high speeds and large speed variation have a negative effect on the level of exhaust emissions, the level of traffic noise, fuel consumption and the quality of life for people living or working near the road [citation omitted]." D. Jomaa, et al., A Comparative Study between Vehicle Activated Signs and Speed Indicator Devices (Transportation Research Procedia, 2017), at <https://doi.org/10.1016/j.trpro.2017.03.017>.

orderly flow of traffic without causing harm. As discussed throughout this Report, speeding appears to be an integral part of road culture, which is why steps should be taken through a variety of strategies to address the problem and restore safety on all Village roads.

Scarsdale Forum 2018 Traffic Survey Report on Lowering the Village Speed Limit

The Executive Summary in the Forum's 2018 Traffic Survey Report encapsulated the mood of the community in support of traffic calming through lowering the 30 mph speed limit:

"The feedback in the Survey represents an inflection point beyond which the wide range of observed and experienced hazards are no longer deemed to be acceptable "norms" by the Scarsdale community. The feedback confirms that the community will no longer tolerate unsafe conditions on Village roads and sidewalks. Survey participants, the majority of whom are Scarsdale residents, unequivocally affirm the community's collective desire for the Village to find solutions to the impacts of speeding vehicles, distracted or negligent motorists, the lack of sidewalks in many places throughout the Village, in addition to the absence of crosswalks where they should be to assist pedestrians, poor lighting, and other hazards to name just a few of the problems observed along Scarsdale's residential and business district roads.

The principal recommendation of the Committee is safer streets through traffic calming, reflecting the mandate of the Scarsdale community. The data, collected from over 700 respondents, demonstrate that Scarsdale residents want the Village to make improving pedestrian, cyclist and driver safety a top municipal priority."⁷

Besides safety and quality of life benefits, lowering the speed limit is consistent with "Complete Streets," "Vision Zero," "Road to Zero," NYSDOT cyclist strategies, and even New York State "Climate Smart Community" goals, which are all discussed below.⁸

Village Board Support for Proposed Legislation on Lower Area Speed Limit

In introductory comments at the Village Board meeting on October 7, 2019, Mayor Marc Samwick rolled out Scarsdale's proactive support for statewide legislation enabling municipalities including Scarsdale to establish a 25 mph speed limit, following Scarsdale Assemblywoman Amy Paulin's recent introduction of legislation in Albany of two bills that would accomplish that goal:

"Traffic safety is an ongoing priority for the Village. The Traffic Safety Committee is the primary decision-making body for traffic safety, control and calming measures. This Committee consists of technical expertise in traffic engineering and includes: the Village Engineer, members of the Police Department, members of the Department of Public Works and a representative from the Village Manager's office. The Committee follows well-established guidelines and State mandates to determine measures that are appropriate for the Village.

⁷ Scarsdale Forum 2018 Traffic Survey Report, page 5, at <https://www.scarsdaleforum.com/Reports/Download/684>.

⁸ See Scarsdale Forum President's Statement on Climate Smart Communities (Scarsdale Forum Climate Resilience Committee, Oct. 3, 2019) ("Scarsdale Forum 2019 Statement on Climate Smart Communities"), at <https://www.scarsdaleforum.com/Reports/Download/928>.

Over the years, one of the main frustrations the Village has faced with respect to traffic safety is the state-mandated minimum Village speed limit of 30 mph. The Village has recently requested that our State Assemblywoman, Amy Paulin, introduce and sponsor legislation that would permit villages to establish speed limits as low as 25 mph. Assemblywoman Paulin agreed to sponsor such legislation and quickly introduced two bills onto the Assembly floor.⁹ Village staff is seeking support for the proposed legislation from other nearby municipalities, Westchester County and various state associations, including the NY Council of Mayors.

Staff is working diligently on a parallel track to develop a deliberate approach to enhance the safety of Scarsdale's neighborhood streets and other areas of elevated pedestrian and bicycle activity.

Traffic concerns may be submitted to the Traffic Safety Committee, to the Village Manager at manager@scarsdale.com or to me at mayor@scarsdale.com. The Manager and I will forward all emails to the Committee for its consideration."¹⁰

The Village Board's Resolution on lowering the area speed limit is a welcome statement on the safety benefits of this policy,¹¹ commensurate with the residential character of the Village and high levels of vehicular and pedestrian traffic:

“RESOLUTION RE: EXPRESSING SUPPORT FOR PROPOSED NEW YORK STATE RESOLUTION LEGISLATION AUTHORIZING A 25 MPH AREA SPEED LIMIT

WHEREAS, the State of New York mandates a speed limit of not less than 30 mph be posted on neighborhood streets in cities, villages, and towns; and

WHEREAS, other states provide for a 25 mph speed limit which is more suitable for Scarsdale's residential neighborhoods and other locations where elevated levels of pedestrian activity are reasonably anticipated, such as the Scarsdale Village Center, which features a busy commuter train station, a variety of local businesses, and abundant residential uses; and

⁹ “2019 Acts to Amend the Vehicle and Traffic Law.” The first bill would allow municipalities the option of setting the speed limit throughout to 25 mph (the current speed limit under Vehicle and Traffic Law §1643 for a city or village and §1662-a for a town is 30 mph), at

https://nyassembly.gov/leg/?default_fld=&leg_video=&bn=A08599&term=0&Summary=Y&Memo=Y&Text=Y . The second bill would establish the 25mph limit for all municipalities statewide, at

https://nyassembly.gov/leg/?default_fld=&leg_video=&bn=A08600&term=0&Summary=Y&Memo=Y&Text=Y.

¹⁰ Scarsdale Village Board Agenda, Mayor's Comments, PDF pages 4-5 (Oct. 7, 2019) (citations added), at <https://www.scarsdale.com/AgendaCenter/ViewFile/Agenda/10072019-693>.

¹¹ See NHTSA Speed Management Program, page 6, at <https://www.nhtsa.gov/document/speed-management-program-plan> (“While speeding can be considered a national problem, it is clear that effective solutions must be applied locally. In 2011, 87% of speeding-related fatalities occurred on roads that were not interstate highways, as shown in the table below. The speeding-related fatality rate per vehicle mile traveled is highest on local and collector roads where the lowest speed limits are posted, presenting additional problems. Speeding is not just a passenger-vehicle- or motorcycle-related issue. With respect to large trucks, speed is a factor in about 8% of fatal crashes, and large trucks have a speed related component in 4.3% of work zone fatalities.”).

WHEREAS, the difference in public safety outcomes when comparing pedestrian-involved accidents occurring in a 30 mph versus 25 mph speed zone is significant, with the risk of pedestrian fatality reported by the National Highway Traffic Safety Administration to be

approximately 3.26 times higher with a 30 mph posted speed limit than with one of 25 mph, as well as a risk of debilitating injury that is roughly 1.28 times higher; and

WHEREAS, a 2018 study released by the Insurance Institute for Highway Safety revealed that decreasing the posted speed limit from 30 mph to 25 mph resulted in 29.3% fewer vehicles exceeding 35 mph by 29.3% (sic, see footnote 13 below), as well as an 8.5% decrease in the incidence of vehicles exceeding 30 mph; and

WHEREAS, in consideration of the public safety benefits of authorizing New York cities, villages, and towns to post an Area Speed Limit of 25 mph, Assemblywoman Amy Paulin has introduced two bills¹² to the New York State Assembly, A.08599 and A. 08600 (legislative summaries attached); now, therefore, be it

RESOLVED, that the Scarsdale Board of Trustees finds that the existing public safety justification for New York State to authorize cities, villages, and towns to post an Area Speed Limit of 25 mph is abundantly compelling; and be it further

RESOLVED, that the Board of Trustees hereby concludes that reducing the village-wide speed limit is an efficient, simple solution to advance traffic safety and protect the public health, safety and welfare, and invites all interested parties to support the proposed amendments to the New York State Vehicle and Traffic Law, allowing the Village of Scarsdale and other New York State cities, town and villages, to create an Area Speed Limit of 25 mph.¹³

Legislative Justification for Lowering the Area Speed Limit

The bills pending in Albany make crystal clear the justification and public safety benefits of lowering the speed limit to 25 mph:

“Research shows that faster driving speeds correlate to more serious injuries and fatalities for pedestrians in the event of an accident. The faster a vehicle is traveling, the less time its driver will have to see a pedestrian in the road and stop and the less time a pedestrian will have to react. According to the AAA Foundation for Traffic Safety, a pedestrian

¹² October 7, 2019 Agenda, PDF pages 46-49, at <https://www.scarsdale.com/AgendaCenter/ViewFile/Agenda/10072019-693>.

¹³ Id., Resolution, PDF page 45: “Submitted by: Village Manager, Date: October 01, 2019, For: October 07, 2019.” In the fourth “Whereas” clause there appears to be a misquote of an Insurance Institute of Highway Safety finding cited in Assemblywoman Paulin’s 2019 Acts to Amend the Vehicle and Traffic Law, that states: “the estimated odds of a vehicle exceeding 35mph fell by 29.3 percent.” See generally, U.S. Department of Transportation, National Highway Traffic Safety Administration, Pedestrian Safety (2019) (“NHTSA”), at <https://www.nhtsa.gov/road-safety/pedestrian-safety>; NHTSA, Traffic Safety Facts, 2018 Fatal Motor Vehicle Crashes: Overview (Oct. 2019), at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/812826> ; Insurance Information Institute, Facts + Statistics: Highway safety (2019) at <https://www.iii.org/fact-statistic/facts-statistics-highway-safety#Traffic%20Deaths,%202009-2018> .

struck by a vehicle going 25mph has a 25 percent risk of sustaining a serious or fatal injury, a 50 percent risk at 33mph and a 75 percent risk at 41mph.

A 2018 study released by the Insurance Institute for Highway Safety found that lowering the speed limit by 5 mph on city streets improves safety outcomes for motorists, pedestrians, and bicyclists by reducing the incidence of speeding. The study focused on Boston, which in 2017 lowered its default speed limit on city streets from 30mph to 25mph. Researchers found that after the city lowered its speed limit, the estimated odds of a vehicle exceeding 35mph fell by 29.3 percent. Also, the odds of a vehicle exceeding 30mph fell by 8.5 percent and by 2.9 percent of exceeding 25mph. **These reduced speeds will help to curb the city's incidence of serious injuries and fatalities in pedestrian involved accidents.**¹⁴ (emphasis added)

Lowering the speed limit in Scarsdale is of vital importance regardless of whether and when the Legislature in Albany acts, because pedestrian injury severity is a function of speed, and **the risk of a fatal injury increases when posted speed changes from 25 mph to 30 mph.**¹⁵

Incidents of pedestrian-involved accidents since 2017 in Scarsdale have been increasing at both intersection and non-intersection locations, with three such accidents in 2017, eight accidents in 2017, and 14 accidents in 2018, according to a chart obtained from the Village Manager's office, attached as Exhibit A.¹⁶ As noted in the Committee's prior Reports, neighboring communities have lowered both area and linear speed limits to 25 mph. Just recently, the speed limit along the entire length of Ashford Avenue between Ardsley Village and Dobbs Ferry Village was lowered to 25 mph. In the absence of an amendment to current state regulations and consistent with current Village planning, attached as Exhibit B, the Committee recommends that the Village should act now to facilitate lowering the speed limit on linear segments of certain roads, consistent with Scarsdale's support of the 2019 Acts to Amend the Vehicle and Traffic Law.¹⁷

School Zone Safety and Traffic Calming

With so many public, private and religious school facilities throughout the neighborhoods there are bound to be safety issues on the roadways and walkways. Brewster Road between Olmsted Road and Harcourt Road is directly adjacent and in close proximity to the front entrance of Scarsdale High School. Some High School students walk or bicycle to and from the

¹⁴ 2019 Acts to Amend the Vehicle and Traffic Law, footnote 9 above.

¹⁵ W.A. Leaf and D.F. Preusser, Literature Review on Vehicle Travel Speeds and Pedestrian Injuries Among Selected Racial/Ethnic Groups (NHTSA, 1999) ("Abstract: The relationship between vehicle travel speeds and resulting pedestrian injury was reviewed in the literature and in existing data sets. Results indicated that higher vehicle speeds are strongly associated with both a greater likelihood of pedestrian crash occurrence and more serious resulting pedestrian injury. It was estimated that only 5 percent of pedestrians would die when struck by a vehicle traveling at 20 miles per hour or less. This compares with fatality rates of 40, 80, and nearly 100 percent for striking speeds of 30, 40, and 50 miles per hour or more respectively.") (emphasis added), at <https://one.nhtsa.gov/people/injury/research/pub/hs809012.html>.

¹⁶ Village of Scarsdale, "Pedestrian-Involved Accidents 2010-2019" (2019).

¹⁷ See R. Cole to S. Pappalardo, Memorandum Re 25 mph Area Speed Limit Legislation (Sept. 23, 2019) ("Scarsdale streets need to be safe for all users, regardless of age, ability or mode choice," at page 6).

facility and related facilities, and are required to cross Brewster Road on foot to access these facilities. Unlike the traffic calming signage on Mamaroneck Road adjacent to the Middle School, the Village 15 mph school zone speed limit is not prominently displayed and does not appear to be consistently obeyed, or regularly enforced, along the affected sections of Brewster, Harcourt and Olmsted Roads.¹⁸

Passing and speeding occur on that section of Brewster Road, and student dropoff traffic is heavy at various times of the day, suggesting significant steps should be taken to implement traffic calming and gridlock solutions, possibly including crossing guards. Because there are few sidewalks along many neighborhood streets, and no dedicated bicycle lanes, parents are apprehensive about their children who do walk or ride bicycles to school. Dedicated bicycle lanes could be investigated as a way to protect students who bicycle to the High School or the nearby public library on adjacent road segments of Brewster Road, Wayside Lane and Olmsted Road. Traffic volume is exacerbated, moreover, by parents who drive their children to and/or from Village schools. A way to reduce dropoff/pick-up traffic would have the Village work with the School District to increase the bus fleet to provide more services to more students in every neighborhood. Many of these suggestions were made to the Committee by concerned parents.

Brewster Road traffic around the Fox Meadow School is another dropoff/pick-up location, with congestion compounded by student drivers headed back and forth to the High School. Parents have also brought to the attention of the Committee, and in some cases the Village, concerns about speeding near the Edgewood School, and motorists passing stopped school buses.

The High School frontage segment of Brewster Road is also a deer crossing location where deer have been sighted, there is evidence of browsing in adjacent Harwood Park, but no deer crossing signage has been installed that might mitigate speeding in the school zone and contribute to traffic calming.

STRATEGIES FOR SAFER ROADS

Scarsdale Village Consultants' Reports

It is generally acknowledged that not all problematic road conditions have been resolved, especially the significant queuing and congestion in the Village Center that was observed and analyzed in independent consultants' reports commissioned by the Village in 2005 and 2016.¹⁹ The consultants' voluminous engineering analysis and suggested solutions in their 2016 report are discussed in more detail below. The Committee recommends that the Village revisit their consultants' recommendations to determine whether any are applicable to today's traffic realities and would be helpful in resolving outstanding issues on Scarsdale roads.

¹⁸ The only road where the Committee could find signage, for the 15 mph school zone speed limit under Local Law §290-54 near Scarsdale High School, is on Wayside Lane from Post Road to Carstensen Road (near the Alternative School facility).

¹⁹ See 2005 TRC Technical Memorandum, at <https://www.scarsdale.com/documentcenter/view/871>, and TRC Engineers, Inc., Traffic And Pedestrian Summary Report, Popham Road/Chase Road/Overhill Road, Crane Road/Fox Meadow Road, West Quaker Ridge Area (July 2016) ("2016 TRC Traffic and Pedestrian Report"), at <https://www.scarsdale.com/documentcenter/view/874>.

Complete Streets

A Complete Street is “a roadway planned and designed to consider the safe, convenient access and mobility of all roadway users of all ages and abilities.”²⁰ The emphasis is on all users, whether pedestrians, bicyclists, public transportation riders, or motorists; it encompasses children, the elderly, and persons with disabilities. Complete Street roadway design features include “sidewalks, lane striping, bicycle lanes, paved shoulders suitable for use by bicyclists, signage, crosswalks, pedestrian control signals, bus pull-outs, curb cuts, raised crosswalks, ramps and traffic calming measures.”²¹ New York State's Complete Streets paradigm has been adopted by Westchester County and White Plains, among other municipalities throughout New York State.²²

Complete Streets infrastructure provides numerous benefits including, not surprisingly, resilience to climate change:²³

“One of the most visible elements of New York City’s sustainable development agenda has been the transformation of the city’s streets from unwelcoming, traffic-dominated corridors to safer, more attractive public spaces that better accommodate all users. Large arterials have been transformed into “complete streets” with dedicated lanes for bicyclists, landscaped pedestrian islands and more efficient curbside regulations; areas of underutilized roadway have been repurposed as new public spaces; congested bus routes have become higher-speed Select Bus Service; and green infrastructure has been integrated into the streetscape to better manage storm water while enhancing the public realm.”²⁴

The New York City Department of Transportation found, in *The Economic Benefits of Sustainable Streets*, “convincing evidence that improved accessibility and a more welcoming street environment... generate[d] increases in retail sales in the project areas.”²⁵ Towns and villages across New York State are planning also for safe and convenient modalities of travel in conjunction with the need to adapt to climate change, such as in Kingston, New York:

“Addressing climate change in Kingston can be accomplished through the aggressive implementation of the Complete Streets policy adopted by the Kingston Common Council in 2010. Complete Streets “are comprehensive, integrated roads that provide for safe and convenient travel along and across the street network by all users: walkers, bicyclists, drivers

²⁰ See NYS Complete Streets Act (2011), at <https://www.dot.ny.gov/programs/completestreets/repository/Complete%20Streets%20Act.pdf>; NYS Complete Streets Report (2014), at

https://www.dot.ny.gov/programs/completestreets/repository/Complete%20Streets%20Final%20Report_NYSDOT.pdf

²¹ See <https://www.dot.ny.gov/programs/completestreets>.

²² See https://www.dot.ny.gov/programs/completestreets/repository/cs_policy_westchester_county.pdf; and, e.g., https://www.dot.ny.gov/programs/completestreets/repository/CS_resolution_white_plains.pdf.

²³ NYSDOT, “The Economic Benefits of Sustainable Streets,” page 7, at <http://www.ssti.us/wp/wp-content/uploads/2014/01/dot-economic-benefits-of-sustainable-streets.pdf>.

²⁴ Id., page 7.

²⁵ Id., page 5. This was one of the aspirational concepts informing the often-cited Update of the Village Center Component of the Village of Scarsdale Comprehensive Plan (Phillips Preiss Shapiro Associates, Inc. and Stephen Tilly, 2010) (“2010 Comprehensive Plan”), at <https://www.scarsdale.com/DocumentCenter/View/122/An-Update-of-the-Village-Center-Component-of-the-Village-of-Scarsdale-Comprehensive-Plan-PDF>.

of various types of vehicles and riders of public transportation, of all ages and abilities, including children and youth, older adults, and persons with disabilities.

Walking brings health and environmental benefits, reduces traffic congestion, and brings customers to business along the walking routes. Planning that prioritizes pedestrian needs will require a different design from that which prioritizes vehicles. People are more likely to walk in interesting and safe environments that include attractive sidewalks, barriers between pedestrians and other traffic and traffic calming measures.”

The Complete Streets approach not only helps achieve healthy and sustainable transportation systems, but is complementary to and helps fulfill some of objectives of the “Climate Smart and Green Jobs Community Pledge.”²⁶

Vision Zero and Road Zero Programs

The fundamental approach of Vision Zero²⁷ is to consider strategies and redesigned infrastructure that make it possible to change aggressive behaviors that undermine safety, and to prevent fatalities on the roads:

“In New York City, 239 people were killed in traffic crashes in 2015. The majority of these crashes happened on arterial roads and were caused by preventable driver behaviors such as speeding and failure to yield the right of way. These behaviors are too often enabled by street design that prioritizes driver speed and convenience, with the safety and experiences of cyclists and pedestrians being an afterthought. A standardized design is needed so that safety can be ensured by default, without relying on education campaigns that may not reach all drivers, or the presence of law enforcement. Once built, these streets are not subject to the shifting winds of politics, and require only standard maintenance to retain their effects.”²⁸ (emphasis added)

A similar program, Road to Zero, follows a similar strategy: “1. Double Down on What Works, 2. Accelerate Advanced Technology, and 3. Prioritize Safety”²⁹

²⁶ City of Kingston Climate Action Plan, 2010 Community-Wide & Local Government Operations Energy and Greenhouse Gas Emissions Inventory, (Sept. 2012), at https://www.kingston-ny.gov/filestorage/8463/10953/10960/Kingston_Climate_Action_Plan_FINAL.pdf. See NYS DOT Complete Streets, at <https://www.dot.ny.gov/programs/completestreets>. See also Scarsdale Forum 2019 Statement on Climate Smart Communities, at <https://www.scarsdaleforum.com/Reports/Download/928>.

²⁷ Vision Zero, “Vision, Strategies, Action: Guidelines for an Effective Vision Zero Action Plan” (LivableStreets Alliance and Massachusetts Vision Zero Coalition, 2017) (“Vision Zero Action Plan”), at https://visionzeronetwerk.org/wp-content/uploads/2017/12/VZN_ActionPlan_FINAL.pdf.

²⁸ Transportation Alternatives, “Vision Zero Street Design Standard” (2019), at <https://www.visionzerostreets.org/> (copyright by Transportation Alternatives, a 501(c)(3) New York City advocacy nonprofit, at <https://transalt.org>). See also New York State Strategic Highway Safety Plan (2017-2022), at https://www.dot.ny.gov/divisions/operating/oss/highway-repository/NYS_SHSP_TotalReport.pdf.

²⁹ National Safety Council and RAND Corporation, The Road to Zero, A Vision for Achieving Zero Roadway Deaths by 2050 (2018), Executive Summary page 15, at <https://www.nsc.org/Portals/0/Documents/DistractedDrivingDocuments/Driver-Tech/Road%20to%20Zero/The-Report.pdf?ver=2018-04-17-111652-263>.

“These three approaches are essential and interconnected; none of the three will work effectively independent of the others. They are complementary, mutually dependent, and synergistic. (See figure on page 15.) For example, a growing safety culture will foster safe behaviors, such as driving sober and within the speed limit, and create a strong market for advanced safety technologies (including automated vehicles). As people become accustomed to the safety benefits of advanced technology and improved roads, they will become less tolerant of risky behavior and more supportive of the changes needed to build a Safe System. The effect of each change is intertwined with the others and mutually supportive – a “virtuous cycle.”³⁰

Core Elements of Vision Zero

The elements of Vision Zero are achievable, and could help prioritize action that is already employed by Scarsdale:

1. Public, High-Level, and Ongoing Commitment. The Mayor and key elected officials and leaders within public agencies, including transportation, public health, and police, commit to a goal of eliminating traffic fatalities and serious injuries within a specific timeframe. Leadership across these agencies consistently engages in prioritizing safety via a collaborative working group and other resource-sharing efforts.

2. Authentic Engagement. Meaningful and accessible community engagement toward Vision Zero strategy and implementation is employed, with a focus on equity.

3. Strategic Planning. A Vision Zero Action Plan is developed, approved, and used to guide work. The Plan includes explicit goals and measurable strategies with clear timelines, and it identifies responsible stakeholders.

4. Project Delivery. Decision-makers and system designers advance projects and policies for safe, equitable multi-modal travel by securing funding and implementing projects, prioritizing roadways with the most pressing safety issues.

Safe Roadways and Safe Speeds

5. Complete Streets for All. Complete Streets concepts are integrated into communitywide plans and implemented through projects to encourage a safe, well-connected transportation network for people using all modes of transportation. This prioritizes safe travel of people over expeditious travel of motor vehicles.

6. Context-Appropriate Speeds. Travel speeds are set and managed to achieve safe conditions for the specific roadway context and to protect all roadway users, particularly those most at risk in crashes. Proven speed management policies and practices are prioritized to reach this goal.

Data-driven Approach, Transparency, and Accountability

7. Equity-Focused Analysis and Programs. Commitment is made to an equitable approach and outcomes, including prioritizing engagement and investments in traditionally under-served communities and adopting equitable traffic enforcement practices.

³⁰ Id., page 16.

8. Proactive, Systemic Planning. A proactive, systems-based approach to safety is used to identify and address top risk factors and mitigate potential crashes and crash severity.

9. Responsive, Hot Spot Planning. A map of the community’s fatal and serious injury crash locations is developed, regularly updated, and used to guide priority actions and funding.

10. Comprehensive Evaluation and Adjustments. Routine evaluation of the performance of all safety interventions is made public and shared with decision makers to inform priorities, budgets, and updates to the Vision Zero Action Plan.”³¹

The actionable strategies of the Vision Zero program can easily incorporate Complete Streets policies.³² This dual paradigm was implemented in New York City, one of Mayor De Blasio’s signature Vision Zero efforts to eliminate road accidents and fatalities:

“Since 2014, the City has used every tool at its disposal to improve the safety of our streets in every neighborhood and in every borough – with expanded enforcement against dangerous moving violations like speeding and failing to yield to pedestrians, new street designs and configurations to improve safety, broad public outreach and communications, and a sweeping legislative agenda to increase penalties for dangerous drivers and give New York City control over the safety of our own streets.”³³

Closer to home, the two bills introduced by Scarsdale’s Assemblywoman Amy Paulin highlight the Vision Zero strides made by New York City that could be emulated in Scarsdale to achieve safer streets:

“In 2014, New York City lowered its speed limit from 30mph to 25mph, as part of a program known as "Vision Zero, aimed at ending all traffic related deaths and serious injuries in the city by 2024. To date, the three years following implementation of the program have been studied and the number of traffic related fatalities declined for these three consecutive years and went down 23 percent overall.”³⁴

Bicycle and Pedestrian Safety: New York State Programs

Without dedicated lanes for bicyclists, and other necessary infrastructure such as sidewalks for pedestrians, these roadway and walkway users will continue to face challenges in Scarsdale. The New York State Department of Transportation has a variety of programs, initiatives and guidance documents that promote Complete Streets strategies and provide a way forward for both bicycle and pedestrian friendly strategies. Safe Routes to School and Walking School Bus are additional initiatives that should be explored:

- “Each of NYSDOT’s 11 geographic regions across the state has a regional bicycle pedestrian coordinator responsible for promoting bicycle and pedestrian programs. NYSDOT also

³¹ Core Elements for Vision Zero Communities, at https://visionzeronetwork.org/wp-content/uploads/2018/11/VZN_CoreElements_FINAL.pdf.

³² Vision Zero Action Plan, page 10, at https://visionzeronetwork.org/wp-content/uploads/2017/12/VZN_ActionPlan_FINAL.pdf.

³³ Vision Zero, N.Y. City, at <https://www1.nyc.gov/content/visionzero/pages/>

³⁴ 2019 Acts to Amend the Vehicle and Traffic Law, footnote 9 above.

maintains a [Bicycling in New York Web page](#), and is developing a similar page for pedestrians.

- The Transportation Alternatives Program (TAP) Set-Aside provides funding for programs and projects defined as transportation alternatives, including on- and off-road pedestrian and bicycle facilities, infrastructure projects for improving non-driver access to public transportation and enhanced mobility, community improvement activities, and environmental mitigation; recreational trail program projects; Safe Routes to School projects;³⁵ and projects for the planning, design or construction of boulevards and other roadways largely in the right-of-way of former Interstate System routes or other divided highways.
- In June 2016, Governor Andrew Cuomo announced the first-ever New York State Pedestrian Safety Action Plan. This 5-year multi-agency \$110 million initiative takes a three-pronged approach to improving safety. It is being implemented cooperatively by the New York State Department of Transportation focusing on engineering improvements, the State Department of Health conducting public education and awareness campaigns, and the Governor's Traffic Safety Committee coordinating increased law enforcement.
- The 2010 [NYSDOT Pedestrian and Bicycle Policy](#) promotes pedestrian and bicycle travel for everyone on the state transportation system.
- NYSDOT's [Highway Design and Project Development Manuals](#) provide guidance for providing safe facilities for pedestrians, bicyclists and transit users. They also include information on how to make these facilities safer by integrating traffic calming, landscape architecture and community design.
- The transportation project design process considers potential project impacts on all transportation system users, including the elderly, people with disabilities, transit users, pedestrians and bicyclists. The [Capital Projects Complete Streets Checklist](#) is used to help identify needs for Complete Streets design features.
- Section 619 of NYSDOT's [Standard Specifications](#) provides for the safe passage of pedestrians and bicyclists over highways under construction.

NYSDOT has undertaken a comprehensive effort to integrate the requirements of the New York State Smart Growth Public Infrastructure Policy Act. Some criteria of [Smart Growth](#) complement the goals of Complete Streets, such as furnishing transportation options other than automobiles, and reducing regional air pollution.

The Complete Streets law includes, but is not limited to, 13 Complete Street design features, all of which are represented in NYSDOT's design standards: sidewalks, paved shoulders suitable for use by bicyclists, lane striping, bicycle lanes, signage, crosswalks, road diets, pedestrian control signalization, signals and delineation, bus pull-outs, curb cuts, ramps,

³⁵ See Safe Routes to School, at <https://www.saferoutespartnership.org/safe-routes-school>. See also Safe Routes to School Guide, The Walking School Bus: Combining Safety, Fun and the Walk to School, at http://guide.saferoutesinfo.org/walking_school_bus/.

traffic calming measures, and raised crosswalks. Please visit our [Designing Complete Streets page](#) for more information and guidance for these features.”³⁶

New York State Climate Smart Communities

Scarsdale Forum’s Climate Resilience Committee has recommended that Scarsdale join dozens of other municipalities in Westchester County that are currently participating in New York’s Climate Smart Communities Program. New York State’s Department of Environmental Conservation provides compelling reasons for certification of a municipality like Scarsdale as a Climate Smart Community, including matching fund grant opportunities. Potential benefits include:

- “Better scores on grant applications for some state funding programs, like DEC’s Climate Smart Communities Matching-Fund Grants to support both comprehensive planning and specific implementation projects
- State-level recognition for each community’s leadership
- A robust framework to organize local climate action and highlight priorities
- Streamlined access to resources, training, tools and expert guidance
- Networking and sharing best practices with peers.”³⁷

This program has a direct correlation with traffic safety initiatives, since implementing strategies that support bicycling and walking and a Safe Routes to School program are just two of many certification items that would benefit Scarsdale if it were a Climate Smart Community.³⁸ Other opportunities are available. Recently, for example, “Westchester County, along with five of its villages, one town, and two cities have been awarded a \$100K grant to administer a collaborative working group to complete individual government operations greenhouse gas inventories and climate action plans that will outline emissions reduction targets, strategies, and projects.”³⁹

2016 TRC Traffic and Pedestrian Report Overview

TRC Engineers proposed a variety of modifications and alternatives to address the traffic issues it studied for the Village in 2016: This is a summary of those recommendations for the Popham Road, East Parkway, and Chase Road/Overhill Road locations:

³⁶ Complete Streets at NYSDOT, at <https://www.dot.ny.gov/programs/completestreets/nysdot>.

³⁷ See Scarsdale Forum 2019 Statement on Climate Smart Communities, at <https://www.scarsdaleforum.com/Reports/Committee/40#>; Climate Smart Communities website, at <https://climatesmart.ny.gov/>; NYS 2019 Municipal Zero-emission Vehicle (ZEV) Rebate and Infrastructure Grant Programs, at <https://www.dec.ny.gov/energy/109181.html>.

³⁸ Climate Smart Communities Certification Action Checklist - Version 3.5 (June 24, 2019) (credit for implementing traffic calming is under review), at <https://climatesmart.ny.gov/fileadmin/csc/documents/CSCC-ActionChecklist-6-24-2019.pdf>

³⁹ Press Release, Westchester County Executive, “Westchester County Awarded \$100K Grant for Climate Action Planning Institute Program from NYS Regional Economic Development Council” (Jan. 7, 2020), at <https://www.westchestergov.com/home/all-press-releases/8235-westchester-county-awarded-100k-grant-for-climate-action-planning-institute-program-from-nys-regional-economic-development-council>.

“Various different options/alternatives were considered along with various traffic signal timing and phasing modifications. The following are the recommendations for modifications along with other alternatives that the Village could consider.

A. Extended Flashing Don’t Walk Time: Recommended

This Alternative is recommended on certain movements/phases including crossing Chase Road at Popham Road, crossing Popham Road at Chase Road, and crossing Popham Road at East Parkway as discussed on page 19 of the main Report. This is based upon field observations and measurements to allow the proper time for people, particularly senior citizens, to cross the various streets. This can be performed by modifying the Flashing Don’t Walk time, including the time shown on the countdown timer, without changing the overall signal phasing and timing. **[The Committee believes that the benefit of providing some way of better enhancing pedestrian ability to cross wide streets, including Popham Road bridge intersections, outweighs the inconvenience to motorists.]**

B. Colored/High Visibility Crosswalk: Recommended

A colored/high visibility crosswalk is recommended, possibly with striping/wording on the pavement ahead of it. Such an improvement would enhance its visibility to motorists and improve the frequency of vehicles stopping before entering the crosswalk. **[The Committee believes that the benefit of providing some way of better enhancing pedestrian visibility outweighs the inconvenience to motorists, and prevents motorists from overrunning the stop bar and crosswalk lines.]**

C. Additional Traffic Signal Head for Westbound Popham Road Motorists: Recommended

It is recommended that an additional traffic signal head be added on the right-hand side of westbound Popham Road just prior to the crosswalk. This would further enforce the vehicle stop location and reduce the number of motorists stopping in the crosswalk, as the existing signal heads are farther away. **[This recommendation was adopted by the Village.]**

D. Lane Assignment Sign: Recommended

A sign graphically indicating lane assignments should be added to Popham Road westbound prior to the intersection with Chase Road to establish appropriate lane assignments, particularly the right turn lane. **[This recommendation was adopted by the Village but installed well prior to the intersection with Autenrieth Road, potentially causing motorist confusion.]**

E. Installing “Turning Vehicles Yield to Pedestrian” Sign and “No Turn on Red” Sign: Recommended

A ‘Turning Vehicles Yield to Pedestrian’ sign similar to what is utilized in other locations in the Village would be appropriate here and is recommended. ‘No Turn on Red’ signs should be placed adjacent to the corresponding overhead traffic signal head. There are some cases where they are placed adjacent to the signal head. **[This recommendation for overhead signal signage was not adopted by the Village but should be implemented at all other applicable locations, such as, e.g., the intersection of southbound East Parkway with westbound Popham Road and elsewhere as appropriate. Additional “Turning Vehicles Yield to Pedestrian” signage is needed at other vulnerable locations.]**

F. Backplates: Recommended

Backplates, the rectangular shields that fit behind the traffic signal head, could be added to the

traffic signal heads to help drivers with the glare issues. **[This recommendation for backplates for the signal heads have not been but should be more widely adopted by the Village.]**

G. Blinking Pedestrian Sign: Recommended (if installed with passive detection)

A ‘blinking’ pedestrian sign could be added instead of Rectangular Rapid Flashing Beacons (RRFB’s), which are not recommended (see item N Below); this may be more practical for this location. These should also be installed with ‘passive detection,’ thus they would start to blink when a person walks between two bollards. If they are not installed with passive detection, then they would be constantly blinking, even when no pedestrian is present, thereby diminishing their effectiveness. **[This recommendation for blinking pedestrian signage, in particular giving both left and right turning motorists ample notice of crosswalks, was not adopted widely by the Village except for one notable exception on Crane Road. It should be adopted at every other point of pedestrian vulnerability.]**

H. Additional Street Lighting: Recommended for consideration

Additional street lighting could be added to assist drivers at night. **[This recommendation for additional street lighting is necessary to give both left and right turning motorists ample notice of crossing pedestrians, especially after dark when turning from through streets where excessive speed and heavy traffic are typical, and pedestrians are not always visible, nor are marked crosswalks always provided.]**

I. Lead pedestrian phase: Recommended for Consideration

This Alternative, which provides a few seconds upon a traffic signal change to allow pedestrians to establish themselves in the crosswalk prior to a motorist receiving a green, is recommended for consideration; however, its implementation would likely cause an increase in driver delays and intersection queuing. Additionally, the added delay could frustrate drivers as the phase would still occur even if no pedestrians are present.”⁴⁰ **[The significant benefit of this safety measure outweighs the relatively brief inconvenience to motorists.]**

Some but not all of the above TRC consultants’ recommendations have been implemented. Some have been implemented at the Popham-Chase-Overhill location but are options that should be considered at other locations where similar problems exist. The following are options that the TRC consultants did not fully recommend, but should be reconsidered:

“J. Raised Crosswalk and Embedded Flashing Lights: Not Recommended

An option that was considered but is not recommended at this time is the provision of a raised crosswalk to enhance visibility, better alert motorists to its presence, and deter vehicles from stopping on top of the raised crosswalk. However, raised crosswalks are generally not designed to be installed on main roadways or emergency routes. They would also increase the noise in this area, which is abutted on both sides by apartment buildings. Also, some residents have suggested a raised crosswalk with blinking lights within the crosswalk. These blinking lights are effective in alerting motorists of the crosswalk but establish certain expectations, such as that they will blink whenever a pedestrian is present, while requiring frequent maintenance and are not recommended. **[The significant benefit of providing some way of better enhancing pedestrian visibility outweighs the relatively minor and brief inconvenience to motorists.]**

⁴⁰ 2016 TRC Traffic and Pedestrian Report, Executive Summary, pages ES-1 to ES-3, at <https://www.scarsdale.com/documentcenter/view/874>.

Alternatives should be explored to ensure better compliance by motorists to yield to pedestrians.]

M. Exclusive Pedestrian Traffic Signal Phase: Not Recommended

This Alternative is not recommended due to the significant adverse traffic impacts, resulting in long delays and queues which would lead to congestion and potentially aggravated/aggressive drivers. **[The significant benefit of this safety measure outweighs the relatively brief inconvenience to motorists.]**

N. Rectangular Rapid Flashing Beacons: Not Recommended

Rectangular Rapid Flashing Beacons (RRFB's) were evaluated for deployment at the crosswalks, but are not recommended. As added background, RRFB's are a new pedestrian alert device that some jurisdictions are testing at non-signalized intersections. The RRFB's are flashing lights that are typically attached to a pedestrian crossing sign and are activated by the pedestrian or bicyclist; they are not typically employed at a signalized intersection. **[The significant benefit of this safety measure outweighs the relatively minor and brief inconvenience to motorists at non-signalized or other intersections. Alternatives should be explored to ensure better compliance by motorists to yield to pedestrians.]**⁴¹

PRIORITIZE SAFETY

Standardized street infrastructure, signals and signage are recommended to consistently prioritize safety throughout the Village, in all neighborhoods and on all roads. Some examples curated from the sources cited in this Report are pedestrian island safe harbors and high-visibility crosswalks; exclusive crossing time; hardened centerlines and slow-turn wedges to reduce turning conflicts and calm turning traffic; flash alert solar pedestrian signs;⁴² pedestrian initiated crossing signals; delayed green signals; and signaled crosswalks on lengthy road segments currently without mid-block signals, signage or crosswalks.⁴³

The approaches outlined here, which are often used on a larger scale, are still instructive for smaller municipalities like Scarsdale, even those with more modest budgetary resources:

“There are 10 elements that make up a Vision Zero Street, all present in the New York City Department of Transportation Street Design Manual.

The City of New York currently applies these elements piecemeal, prioritizing the level of service for car and truck designers in decisions about whether to include or omit these elements on streets. On some multi-neighborhood arterial streets, elements are installed in one community but not the next. Even contiguous blocks of the same streets will feature varying quality of design.

⁴¹ 2016 TRC Traffic and Pedestrian Report, Executive Summary, pages ES-3 to ES-4, at <https://www.scarsdale.com/documentcenter/view/874>.

⁴² Residents reported to the Committee that the pedestrian-activated flashing light on Crane Road near St. James the Less Church often does not work.

⁴³ The Village has employed digital vehicle activated speed signs at few locations. If the feedback to motorists from these vehicle-activated speed monitors is found to encourage slower motorist speeds, the Village should investigate installing units at additional locations where speeding is found to be a continuing problem.

This lack of standardization is inequitable and endangers millions of New Yorkers. When road design constantly changes, it is difficult to normalize safe driving behavior or encourage more people to walk or bike. Furthermore, when safe streets appear as the rare exception rather than the rule, it feeds the perception that better design is unobtainable and impractical. This is not true: the Department of Transportation has a wealth of engineering resources in its Street Design Manual that are possible to implement and have been proven to reduce dangerous driving. A doubling of the Department of Transportation's capital budget would allow New York City feasibly reconstruct all its dangerous arterial roads within 50 years.

NYC must also fundamentally shift how it views its streets and allocates space for different modes. A Vision Zero-worthy street will prioritize the highest-capacity modes of transportation, like walking, biking, and using public transit, over the single-occupancy car. Toronto has already codified this hierarchy, and NYC should also adopt such a model in order to normalize safe street design.”⁴⁴

Some of the same elements, which have already been installed at some locations in Scarsdale, should be standardized according to these guidelines:

“Consider the following 10 elements of a vision Zero Street as parts of a whole: When redesigning a dangerous street, engineers should consider application of the Vision Zero Street Design Standard as a holistic package before considering the application of individual elements. Not every street will necessarily be suitable for all elements, but the decision to omit any of them must only be made if doing so would have no adverse impact on pedestrian or cyclist safety. In particular, space for car parking must never be allowed to take priority over street design elements that save lives (emphasis added):

1. ADA Accessibility
2. Public Amenities
3. Protected Bike Lanes
4. Narrow Vehicle Lanes
5. Pedestrian Islands
6. Wide Sidewalks
7. Dedicated Mass Transit Facilities
8. Signal-Protected Pedestrian Crossings
9. Dedicated Unloading Zone
10. Signal Retiming.”⁴⁵

The locations in the Village illustrated in the following items would benefit from a Traffic Committee review of these fundamental Vision Zero elements to identify where safety improvements can and should be made.

⁴⁴ New York City Street Design Manual (2015), at <https://www1.nyc.gov/html/dot/downloads/pdf/nycdot-streetdesignmanual-interior.pdf>.

⁴⁵ Vision Zero Street Design Standard, at <https://www.visionzerostreets.org/>. See also New York Metropolitan Transportation Council, Pedestrian Safety in the NYMTC Region (CUNY Institute for Transportation Systems, Sept. 2007), at <https://www.nymtc.org/portals/0/pdf/Transportation%20Safety/NYMTC%20Regional%20Pedestrian%20Safety%20Study.pdf>.

TRAFFIC CALMING OPPORTUNITIES

Popham Road Crosswalks at Overhill Road and East Parkway

Popham Road just east of the Chase Road intersection and Overhill Road was the location of a fatal pedestrian incident over ten years ago that was attributed to sun glare.⁴⁶ Because the intersection geometry is asymmetrical, there are sight line problems for left turning motorists from Chase onto the eastbound through lane of Popham.⁴⁷ Left turns are especially dangerous.⁴⁸ The same difficulty is encountered to varying degrees by motorists turning right onto eastbound Popham from Scarsdale Avenue and turning left from East Parkway.

Pedestrians become frozen on certain sidewalks, unable, for example, to cross Popham Road at various points. Typically, numerous motorists in a steady stream of speeding traffic, turning right from southbound East Parkway onto westbound Popham, fail to take heed of the crosswalk immediately around the corner where pedestrians are attempting to cross. Adjustment of signal timing could help. At this blind corner, there's no prominent "Yield to Pedestrian" signage to indicate that people might want to cross, and the Metro North overpass wall hides the crosswalk from view as motorists make the right turn. Without delayed green signals to hold motorists briefly in place, pedestrians with a walk sign often do not dare to cross, especially at night and when the intersection is backed up and blocked from all directions.

Both intersections might benefit from turn-calming strategies, and at appropriate locations, blinking signs with passive detection for the protection of pedestrians. Such safety measures could prevent another tragic incident.⁴⁹

Popham Road Bridge

Widening the Popham Road Bridge has not entirely met expectations that it would alleviate traffic volume and congestion. If anything, conditions have worsened for motorists and pedestrians alike. In the Committee's 2015 Report, a recommendation was made to improve signage and pavement markings to indicate designated right or left-turn-only lanes and through lanes. The undersized signage indicating lane designations is easy to miss on the signal head, there is no sidewalk signage along the eastbound right turn lane onto Scarsdale Avenue, and the pavement arrows are usually too faded to be of any assistance to motorists. The resulting last minute, swerving lane changes by motorists are as predictable as they are dangerous.

Adding to the chaos, those Popham lanes shift multiple times in both directions between Autenrieth Road to the east and Garth Road to the west at the other end of the bridge, including the lanes over the bridge itself. There are at least four lamp posts on the sidewalk along the

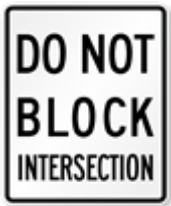
⁴⁶ As reported in the 2016 TRC Traffic and Pedestrian Report, page 2, at <https://www.scarsdale.com/documentcenter/view/874>.

⁴⁷ See generally for comprehensive solutions: New York City DOT, Left Turn Pedestrian & Bicyclist Crash Study (2016), at <https://www1.nyc.gov/html/dot/downloads/pdf/left-turn-pedestrian-and-bicycle-crash-study.pdf> and <https://www1.nyc.gov/html/dot/html/pedestrians/left-turn-traffic-calming.sht>.

⁴⁸ NYC Police Department, NYPD Raises Awareness about the Dangers of Left Turns in New Video (April 2019), at <https://www1.nyc.gov/site/nypd/news/pr0411/nypd-raises-awareness-the-dangers-left-turns-new-video#/0>.

⁴⁹ See 2016 TRC Traffic and Pedestrian Report, Executive Summary, page ES-3.

south right-turn only lane of the bridge, yet no posted signage there or pavement marking clearly indicates that the lane is right-turn-only onto southbound Scarsdale Avenue (although a small sign, plain black and white sign with arrows is hanging next to the overhead signal). Without better directional signage, motorists who are out of position must shift lanes quickly, creating a hazard for eastbound vehicles in both the through lane and the far right lane of the bridge.



Might overhead signage near certain signals make a difference? Motorists block the asymmetrical intersection of Popham Road, East Parkway, and Scarsdale Avenue at all hours of the day and evening. The relatively new left turn, green signal arrows are not as effective as they could be if, for example, the arrows were to cycle to red together with a digital display of “no turn on red.” Queuing traffic on East Parkway northbound and Popham Road westbound is frequently backed up. There is little directional signage on the overhead signals – most are mounted on poles on the sidewalks. Westbound motorists often advance so far into the Popham intersection to make a left onto southbound Scarsdale Avenue, instead of yielding to oncoming traffic, as to be dangerously close to being hit by eastbound vehicles coming over the crest of the bridge, where everyone experiences sight line issues from both directions.

Notably, the 2016 TRC Traffic and Pedestrian Report recommended that: “A sign graphically indicating lane assignments should be added to Popham Road westbound over the Popham Road bridge prior to the intersection with Chase Road to establish appropriate lane assignments, particularly the right turn lane.”⁵⁰ A similar argument could easily be made for the same signage to be added to Popham Road eastbound prior to the intersection with Scarsdale Avenue to establish appropriate lane assignments, particularly the right turn lane onto Scarsdale Avenue.⁵¹

The Popham Road-Garth Road end of the bridge to the east is also treacherous, especially for pedestrians negotiating crosswalks from approaching aggressive right-turning vehicles from Garth Road and left turning vehicles from Depot Place. Overall, better solutions should be implemented to address the problems pedestrians face at these troublesome focal locations.

Popham Road Signal Timing

To best accommodate the volume and flow of westbound traffic in the Village Center on Popham Road and avoid gridlock at its major intersections, the phasing of green signals for westbound traffic should begin at the Depot Place intersection, followed by the green signal at the East Parkway intersection and then followed by the green signal at Chase Road. Any other sequence incrementally causes gridlock prior to westbound Popham Road traffic at Chase Road.

⁵⁰ That sign was installed but placed on the far eastern corner of Autenrieth Road, too far prior to the actual dedicated right-turn-only lane prior to the Popham-Chase intersection.

⁵¹ See 2016 TRC Traffic and Pedestrian Report, Executive Summary, page ES-2, at <https://www.scarsdale.com/documentcenter/view/874>.

Autenrieth Road Access to and from Popham Road

The No-Parking-to-Corner sign on the western parking lane of narrow Autenrieth Road, located prior to Popham Road, is an impediment to traffic flow and turning access both to and from Popham Road. Turning traffic also tends to impede traffic flow on both east and westbound traffic on Popham Road. The sign should be moved farther away from the asymmetrical corners at the intersection.

Christie Place

Some of Scarsdale's heavily traveled roads are uninterrupted by traffic calming measures that would help mitigate speeding and increase safety for all roadway users. Christie Place in the Village Center is one such road. An important additional consideration at this location is the safety of shoppers, the residents of the Christie Place units, and the residents of the Chateau units around the corner on the same block.

Except for the endpoints of Christie Place at Chase Road to the east and East Parkway to the west, there are no crosswalks to aid pedestrians along the entire length of Christie Place, which is congested with bus traffic, two parking lots and the supermarket loading zone. Double parked delivery tractor trailers, panel trucks and UPS vehicles along the DeCicco curb create gridlock in both directions, instead of queuing north of the Christie intersection along the southbound lane of East Parkway.

Motorists lining up to wait for a space to open in the undersized DeCicco lot frequently block traffic from both directions on Christie Place, while idling. DeCicco delivery trucks that do wait on the west curb of East Parkway north of the Christie Place intersection sometimes make it difficult for other trucks to pass, while causing traffic to back up there.

Vehicles also enter the DeCicco parking lot through the exit driveway, not the entrance driveway, because there are no clear pavement markings or "no entrance" directional signage. There are no stop signs to remind motorists exiting the lot to pause before barreling onto the sidewalk into the road, and no signs warning against illegal U-turns.

Pedestrian Protection at Medians

Enhanced pedestrian safety infrastructure should be considered at the end points of the narrow Popham Road Bridge median and the East Parkway median,⁵² even if this may prove to be a challenging retrofit. The recent intrusion of vehicles into the East Parkway median at Popham Road, into a bench and shrubbery at Boniface Circle, and a crash into a utility pole at

⁵² New York City Street Design Manual, pages 42-43 (Among possible elements that may or may not be possible because of space restraints in Scarsdale's Village Center are "wider sidewalks, wider medians. . . , curb extensions, bollards, and pedestrian safety islands."), at <https://www1.nyc.gov/html/dot/downloads/pdf/nycdot-streetdesignmanual-interior.pdf>.

the southeast corner of Popham Road and Scarsdale Avenue that brought down the traffic signal assembly, are reminders that vulnerable pedestrian areas should be better protected.

Yielding to Pedestrians Is Not Optional

TURNING
TRAFFIC
MUST
YIELD TO
PEDESTRIANS

This is a facsimile of the sign posted at the northwest corner of Depot Place and Popham Road. It is a welcome element for one of the busiest pedestrian/commuter corridors. There are different versions of the same message throughout the Village, notably the mid-street, fixed-base crossing panels, but additional intersections should be considered for posting this large format safety warning. Many of the locations cited in this report need similar calming warnings that encourage motorists to SLOW DOWN where pedestrians are likely to be crossing the street just around a corner, whether signalized or not.

Motorists eastbound on Christie Place turning-right around the corner at Chase Road often roll past the stop sign and crosswalks, heedless of pedestrians exiting their vehicles or crossing the street in front of the Post Office. One way to visually alert right-turning motorists to these movements, in addition to the highly visible pedestrian warning sign, is to remove the shrubbery at that corner along the edge of the Post Office lawn.

Just as pedestrians have the right of way at evening rush hour when an enforcement officer and patrol car are present at the Metro North station on East Parkway to stop traffic, pedestrians have the right of way everywhere, all the time, notwithstanding any enforcement presence, or none. This appears to be a precept that many motorists, unfortunately, disregard.

Extend Crossing Time for Pedestrians

TRC consultants Recommended for Consideration, meaning they did not fully endorse, a “lead pedestrian phase”:

“which provides a few seconds upon a traffic signal change to allow pedestrians to establish themselves in the crosswalk prior to a motorist receiving a green, is recommended for consideration; however, its implementation would likely cause an increase in driver delays and intersection queueing. Additionally, the added delay could frustrate drivers as the phase would still occur even if no pedestrians are present.”⁵³

The report recommended, however, extended flashing “don't walk” time without changing signal phasing and timing, conceding that “Pedestrians, especially those that are mobility-challenged or impaired, including senior citizens living nearby, sometimes struggle to cross Popham Road in the allotted pedestrian phasing time.” Extended flashing “don't walk” time would give pedestrians more time to cross busy intersections. It is now common in New York City to see delayed green signals of under ten seconds to allow pedestrians slightly more time to cross. There may be the potential for delayed green signals to cause traffic backups, but

⁵³2016 TRC Traffic and Pedestrian Report, Executive Summary, page ES-3.

any small adjustment in crossing timing that might prove effective to calm traffic and assist pedestrians would be worthwhile.⁵⁴

Incidentally, for the sake of preventing westbound through traffic motorists stopped at the red signal on Popham at the Chase intersection from becoming confused by the earlier green phasing at the westbound Popham-East Parkway signal (when the oncoming Popham through traffic eastbound is also already moving with a green signal), an overhead digital “delayed green” signal or even plain signage on or near the signal head on westbound Popham at Chase would keep motorists from bolting forward into the Popham-Chase crosswalks, creating conflict with pedestrians who are given more time to cross.

Illegal Right Turn from Popham Road, onto Chase Road, into Oncoming Traffic

Occasionally a motorist will miss the dedicated right turn lane from westbound Popham onto Chase Road marked by flexible bollards. Some motorists catch their mistake before entering Chase Road. But instead of circling the block via East Parkway, they make an illegal and dangerous right turn on the south edge of the bollards into oncoming southbound Chase Road traffic stopped at the signaled Popham Road intersection. There is no “do not enter” signage warning motorists not to make this dangerous right, narrow radius turn.

Crane Road

Speeding should be addressed on Crane Road with all available calming strategies. Excessive speed and running the red signal at the Woodland Place intersection continue to be problems on Crane Road despite new pedestrian yield signage and a solar powered flashing sign. Crosswalks should be widened and furnished with mid-road, stationary yield signs, like those deployed nearby in the Village Center and on Heathcote Road near the Congregational Church.

Vegetation at the southeast corner should be removed so that pedestrians approaching from the Woodland sidewalk are not blindsided by motorists overrunning the stop bar and the crosswalk.

The stop bar should be farther away from the crosswalk at the Woodland corner, and the crosswalk itself should be wider. This is another location where delayed green to allow pedestrians extra time to cross is important to the safety of commuter, Lutheran Church and Montessori School pedestrian foot traffic.

The entire length of Crane Road should have a sidewalk on both sides of the street where at all feasible. There are segments along the north side of the road, such as in the vicinity of Old Orchard Lane and at the Woodland Place intersection, that would accommodate a sidewalk and improve safety for pedestrians between Village Hall and the East Parkway Metro North station. Many people walk to the Village Center from this area, and one often sees pedestrians walking along the side of Crane Road that lacks a sidewalk, likely due to the difficulty in crossing the street, or the inconvenience of crossing to one side and then the other to be on a sidewalk.

⁵⁴ Id., Executive Summary, page ES-2.

There is a hilly section around mid-point on Crane Road where line of sight is impaired from both directions approaching the crosswalk to the St. James the Less driveway. The solar flashing signal which is pedestrian initiated is not always operational, although additional pedestrian crossing signage has been installed, similar to the double crosswalk warning signage that appears at intervals approaching the crosswalk on Heathcote Road at Sherbrook Road.

Woodland Place and Crane Road

Woodland Place is a major one-way feeder for motorists leaving the Village Center, yet was not analyzed in the 2016 TRC Traffic and Pedestrian Report. Motorists exiting the Village Center regularly overrun the stop bar at the no-turn-on red signal at the corner of Woodland Place and Crane Road. Because the sight lines are impeded by vegetation on the southwest corner as mentioned above, motorists intent on making an illegal right turn on red onto Crane regularly inch past the stop bar and risk colliding with motorists who frequently speed while running the red signal on Crane, in both directions. There are no sidewalks on Crane Road at the signaled intersection with Woodland Place. The only sidewalk along the west side of Woodland ends at this intersection, which features a relatively new pedestrian operated crossing signal on the southwest corner. There was a serious pedestrian-involved accident at this location in November 2019 when a boy was struck by a vehicle while attempting to cross Crane Road.

Crane Road and Fox Meadow Road

Crane Road where it meets Fox Meadow Road continues to be a dangerous un-signalized intersection, made more difficult to maneuver because of sight line problems that were mentioned in the 2016 TRC Traffic and Pedestrian Report.⁵⁵ The Village should reassess and implement some of the consultants' recommendations at this location, and others cited in this Report, to determine whether the tradeoffs that prevented them from being adopted make sense at this time to alleviate continuing traffic problems.

Popham Road at the Taunton Road Crosswalk

Crossing Popham Road, even in the crosswalks, is dangerous for pedestrians. Motorists turn off of Post Road and tend to accelerate into Popham Road, not mindful of the crosswalk that comes up at the driveway from the Village Hall parking lot. The problem is exacerbated by the fact that the crosswalk pavement marking is very faint. A warning sign or more prominent crosswalk markings may cue drivers to slow down and watch for pedestrians.

Full Stops at Stop Signs and Red Signals

It cannot be overemphasized that the failure of motorists to make a full stop at stop signs and even at stop bars on red signals is a problem compounded when motorists who keep moving fail to yield to pedestrians. The rolling stop appears to be the new normal. The rolling stop is also a problem when both passenger vehicles and buses fail to stop at the stop bar on red signals

⁵⁵ Id., Executive Summary, pages ES-5 to ES-6.

before entering pedestrian crosswalks. This phenomenon is just as frequent on the main corridors as on the side streets.

Faded or Inconspicuous Arrow, Stop Bar and Crosswalk Pavement Markings

It does not help that many pavement markings are worn and too faint to notice easily, especially when it rains or at night. It becomes even more problematic at asymmetrical intersections in the Village Center, for example Popham Road at Chase Road, and the right turn lane from Popham Road onto Scarsdale Avenue. Crosswalks should be as visible and as wide as possible. Some of the more problematic crosswalks, especially where speeding is an issue, should be treated with contrasting pavement or other surfacing to improve visibility and calm traffic.

Illegal U-turns, Wrong Way Egress through Two-Way Median Lanes

It is astonishing that many motorists consider U-turns to be permissible on busy two-way Village Center streets, and U-turns over double yellow lines throughout the Village, often in disregard of prohibitive signage. Illegal U-turns are all too frequently made on Chase Road in front of the Post Office and at the Christie-Woodland-Chase 3-way stop intersection despite recently posted signage. Vehicles including Scarsdale Taxi vehicles southbound on East Parkway have been observed making illegal U-turns onto northbound East Parkway, arguably one of the busiest intersections in the Village Center, in plain view of the prohibitive signage.

Two-way Christie Place, a heavily traveled bus route to the Metro North station with its numerous driveways and almost constant traffic is another frequent U-turn location.

On East Parkway, motorists either ignore or do not see the faded directional pavement markings on the two-way median cut-through lanes. Entering the wrong lane could easily bring motorists into conflict with oncoming traffic entering the correct lane.

Illegal Passing

Passing is unacceptable and highly unsafe on our narrow Village roads. Motorists backing out of parking spots on East Parkway with vehicles in line to take the spot have been passed by irresponsible motorists too impatient to wait. Vehicles traveling at the speed limit on Heathcote Road at night are passed by vehicles at high speed turning off at Kelwynne Road into the Middle School entrance driveway. Vehicles on Harcourt Road where it meets Brewster Road have been passed by speeding vehicles, sometimes during morning school hours. Motorists blowing horns and speeding recklessly have been observed passing vehicles traveling at the 30 mph speed limit on Church Lane. “No passing” signage has popped up on various roads, such as Walworth Avenue, and could become another item in the enforcement toolbox to calm traffic if installed at additional locations.

Post Road Intersections at Crane and Popham Roads

Eastbound Popham Road motorists turning left onto the Post Road habitually block the intersection, causing gridlock at the intersection and long queuing backups for both northbound

and southbound Post Road traffic. Long queuing backups on eastbound Crane Road, often stretching west on Crane well beyond Carstensen Road, are another frequent weekday occurrence. Both intersections should be studied and solutions implemented to alleviate this chronic gridlock.

Popham Road Eastbound and Westbound onto East Parkway

The numerous points of entry from both Popham Road and Scarsdale Avenue onto East Parkway northbound cause chronic, seven-day a week gridlock at this heavy volume Village Center intersection. Motorists apparently cannot be counted on to refrain from “blocking the box” in their desire to access East Parkway merchants, the Metro North station, or the Bronx River Parkway entrance ramp at the north end of the street. One long block of double-sided head on parking between northbound East Parkway and one-way Spencer Place adds to the queuing at the Popham intersection. Aside from enforcement of infractions for blocking the intersection, signal timing adjustments, no-turn-on-red arrows and overhead signal signage should be considered to address these problems.

The Five Corners Heathcote Intersection

Traffic grinds to a halt and queues at red signals for many blocks on Heathcote Road, Palmer Avenue and Weaver Street especially during afternoon rush hours. Access also becomes difficult onto the poorly designed, narrow Balducci’s driveway from both directions on Heathcote Road.

NEIGHBORHOOD HOT SPOTS

In an effort to gather additional information about challenging conditions on specific streets, and to potentially supplement the Written Correspondence submitted to the Village which appears on the Village website,⁵⁶ Scarsdale Forum invited its members and the wider community in 2019 to submit additional feedback. The following items, organized by street or intersection, add to the list of hot spots that are of concern to Scarsdale residents.

Fenimore Road

More needs to be done on Fenimore and the other high volume Scarsdale roadways to calm traffic and improve access for both pedestrians and vehicles. Intersections should be safe crossings. A Scarsdale resident was hit and seriously injured by a vehicle in the Brewster Road crosswalk in December 2019.⁵⁷ There was another pedestrian-involved crash at this location in 2017,

⁵⁶ Written Correspondence, at <https://www.scarsdale.com/274/Written-Correspondence>.

⁵⁷ Scarsdale Inquirer, “Greenacres man in Fenimore Road crosswalk hit, injured by car,” page 5 (Jan. 3, 2020), at https://www.scarsdaleneews.com/eedition/page-i/page_f0e2accident63dc-0dde-52ba-98e5-d0d4f0514812.html. See also Scarsdale10583.com, “Pedestrian Hit on Fenimore Road” (Oct. 23, 2017) (“An 84 year-old Ridgecrest West man was hit by a car when he was traversing Fenimore Road at 9:43 am on Thursday October 19. He was crossing Fenimore Road at Brewster Road, going from the south side to the north side of the street. He was in the crosswalk when he was hit by a 2015 Mercedes Benz driven by a 74 year-old woman from Fox Meadow.”), at <http://scarsdale10583.com/about-joomla/shout-it-out/6478-pedestrian-hit-on-fenimore-road>; and Scarsdale10583.com,

also causing serious injury. Pedestrians experience difficulty while attempting to cross what has become a major east-west corridor⁵⁸ that bisects Scarsdale from the from Post Road to the east, and Hartsdale Village, the Bronx River Parkway, Fox Meadow Road and Walworth Avenue to the west. As for motorists attempting to access Fenimore, it is difficult to make a turn in either direction from Brewster Road, Brite Avenue, and other side streets because of the volume of traffic on Fenimore. A mid-road crosswalk and stationary pedestrian crossing signage on Fenimore Road has done little to calm traffic on Fenimore, similar to the failure to tame speeding on Popham, Crane, Post, Fox Meadow and Walworth, to name just a few of the roads characterized by lengthy corridor segments between signals and signage.

Fenimore Road traffic backs up in both directions during rush hours, as reported to the Committee by residents. During morning rush hours it backs up as much as three blocks eastbound from Brewster Road to Post Road. In the evening, queuing commuter traffic backs up from the Hartsdale Train station east to Oak Way, and sometimes as far as Brewster Road. Truck traffic is also heavy on Fenimore Road eastbound from Hartsdale Avenue all the way to Post Road, and then north through to White Plains or south onto Mamaroneck Road. The Hartsdale train station is another source of traffic flowing through Scarsdale arteries and side streets.

Heathcote Sidewalk

The Committee was advised by residents that a heavily used walking path from Quentin Road to Wynmor Road over the Heathcote Bypass is in disrepair and presents a hazard to pedestrians. The walkway is described as a major pathway used daily by Heathcote elementary school parents and children, and residents walking to nearby shopping areas. It was reported that children have been injured walking, biking and scootering, and that strollers cannot be used safely for younger children. Aside from the crumbling and potholed surface, the walkway is impassable in winter when snow and ice collect, and there is invasive poison ivy growing along the path.

Griffen Road at Mamaroneck Avenue

The Committee was advised by a resident that the left turn from Griffen Road onto northbound Mamaroneck Road is so hazardous that dozens of vehicles back up on Griffen at peak traffic periods, such as the early morning and later afternoon hours. It was suggested that, if feasible, a 3-way stop or signal might alleviate the problem.

Morris Lane-Richbell Road

The Committee was advised by a resident that hazardous sight line impediments exist at the Morris Lane, Richbell Road intersection which are compounded by speeding on Morris. It was suggested that a 3-way stop would calm traffic and enable motorists to make turns onto or exiting Richbell without difficulty.

“16-Year-Old Girl Hit on Fenimore Road” (Sept. 17, 2012) (Walworth Avenue intersection), at <http://scarsdale10583.com/about-joomla/todays-news/2708-16-year-old-girl-hit-on-fenimore-road> .

⁵⁸ A lower speed limit is a factor to consider to mitigate pedestrian-involved crosswalk accidents.

Weaver Street, NY 125 at Stratton Road

The Committee was advised by a resident that since Weaver Street was repaved, removal of a southbound left turn access lane to the Hutchinson Parkway has caused significant backups on Weaver Street southbound at the intersection of Stratton Road. Residents also observed that a crosswalk at that busy intersection was eliminated. An additional cause of the queuing and gridlock along the southbound lane of Weaver may be the bus stop located at the north corner of Weaver and Stratton. This situation was covered in the 2016 TRC Engineering Traffic and Pedestrian Report which included potential solutions:

“At the intersection of Weaver Street and Stratton Road it appears that a left-turn storage lane may possibly be able to be installed on the northbound Weaver Street approach. The left turn lane would be narrow and relatively short. Another possibility is to provide a left-turn advance signal phase, however, this would require modifications to the traffic signal. Either modification would require approval from the New York State Department of Transportation (NYSDOT).”⁵⁹

POTENTIAL IMPACT FROM DEVELOPMENT

This Report would not be complete without a reference to potential development projects. The lingering subject of “traffic in Scarsdale” has been identified many times over the years, often in connection with discussions about proposed development.

2010 Update to the Comprehensive Plan

One particular decade-old planning document, the Update to the Village Center Component of the Comprehensive Plan,⁶⁰ is cited for good reason – it is the quintessential primer for strategies to manage potential development. One of the six major goals of the 2010 Village Center Plan is explicit about what is meant by improving “circulation” in Scarsdale:

“Goal 2: Attend to traffic congestion, and enhance walk-ability and pedestrian safety and amenities. Maintain an acceptable level of parking availability.”⁶¹ (emphasis added)

Calls for reduced traffic congestion, increased walk-ability, and parking have been constants throughout the development of this plan (and indeed have been abiding concerns for decades). As a business district, the Village Center is a magnet for both pedestrians (shoppers, train commuters, etc.) and automobiles, particularly during the morning and evening rush hours, when both pedestrians and vehicles are present in great volumes and close proximity. During these periods, however, traffic speeds are naturally kept at a snail’s pace, and the Village

⁵⁹ 2016 TRC Traffic and Pedestrian Report, page 33, at <https://www.scarsdale.com/documentcenter/view/874>.

⁶⁰ Footnote 25 above, at <https://www.scarsdale.com/DocumentCenter/View/122/An-Update-of-the-Village-Center-Component-of-the-Village-of-Scarsdale-Comprehensive-Plan-PDF+>.

⁶¹ Freightway Site Redevelopment Study, page 12 (Feb. 2018) (“2018 Freightway Study”), at <https://www.scarsdale.com/DocumentCenter/View/2626/Freightway-Site-Redevelopment-Study-Feb-2018>, citing 2010 Comprehensive Plan, Goal 2, pages 21-23, at <https://www.scarsdale.com/DocumentCenter/View/122/An-Update-of-the-Village-Center-Component-of-the-Village-of-Scarsdale-Comprehensive-Plan-PDF>.

stations a police officer and patrol car on East Parkway to manage flow and enforce pedestrian right-of-way laws.

Pedestrian safety and traffic incidents are a concern, particularly during prime lunch and shopping hours when there is less commuter traffic, more “non-destination” traffic, and drivers are focused on a search for parking spaces. Thus pedestrian safety and traffic are major concerns throughout the Village Center. This is especially true near the Popham Road Bridge and the East Parkway / Scarsdale Avenue intersection. The Crane Road exit off of the Bronx River Parkway empties onto East Parkway, and Popham Road, being one of the few east-west through roads in lower Westchester, brings a large amount of through or “non-destination” traffic through the Village. Pedestrian-vehicle accidents occur in this area which may be due to unconventional crossing configurations, and the general volume of traffic.

A combination of strategies is called for. First, new development should not contribute substantially to rush hour traffic flows. Congestion at these times already impairs the convenience of moving to and throughout the Village Center. Large office buildings, for example, would bring a crush of cars and workers into the Village at these times, and should not be allowed. Allowable uses should be local-serving in nature and not serve as regional destinations. The existing zoning controls for this to a great degree, by limiting the range of allowable uses and the floor area of those uses, which should hew to these well-conceived guidelines. Certain exceptions to this rule may apply. For example, a small-scale concert hall or cultural use may in fact be a destination, but would likely bring visitors primarily during evening hours or on weekends. (emphasis added)

The second strategy is to slow traffic speeds. This can be accomplished by a number of traffic calming devices and streetscape techniques, along the lines of what the Village has already employed. Better defined walkways and signage, speed humps, and other traffic calming measures should be incorporated into the site design of any new development. The feasibility of additional traffic calming measures, including stationing a police officer and patrol car at other dangerous intersections (such as at Popham Road and East Parkway or Popham Road and Chase Road) should be investigated. (emphasis added)

Reducing traffic flows and speeds would certainly increase walk-ability and pedestrian safety, and these strategies can be supplemented by enhancing the streetscape. While most of the Village Center is pedestrian friendly and visually appealing, some areas are less attractive to walkers. This includes the western Popham Road, where pedestrians are not buffered from the roadway by trees or plantings, and where there are few benches or places to rest. The pleasant and safe character that exists at the core of the Village Center should be extended outward to these areas. Street trees and landscaping recently completed on East Parkway and planned for lower Popham Road (along with the bridge replacement), will make the roads seem less like highways and more like village streets, naturally slowing traffic speeds. (emphasis added)

Pedestrian arcades are vital and appreciated connections. The pedestrian arcades between the East Parkway and Harwood buildings serve as shortcuts within the shopping district, connect parking spaces to busy retail areas, and provide unique pedestrian-only spaces. A planned extension of the southbound railroad platform under the new Popham Road Bridge

(mirroring the northbound platform) will better connect the parking areas at Freightway to the railroad station, minimizing pedestrian-vehicle conflicts on Popham Road. Additionally, participants in this planning process almost universally called for an arcade through the Spencer/Christie block in order to reinforce pedestrian activity and enhance connections between parking and retail.”
(emphasis added)

The 2010 Village Center Plan was not only crystal clear about how to prioritize and accomplish the dual goal of calming traffic and prioritizing pedestrian safety, but prescient that these goals would be of abiding interest to a Village still seeking to attain them ten years later.

Recent Proposed Development

The Goals and Objectives section of the 2017 Request for Proposals - Freightway Site Redevelopment Study requests of developers the identification, but not solutions, of “potential impacts and or development constraints which might include revenue generation, parking, traffic, infrastructure, school enrollment and other municipal services as well as potential demographic changes. Identify issues which may require further study.”⁶² Fast forward to the more recent June 2019 RFP, which treats aspirational goals about traffic in the Village Center and beyond under such general headings as: “3. How the Proposed Project provides and encourages thoughtful, efficient, and safe pedestrian and vehicular circulation.”⁶³

The 2018 Freightway Study focused appropriately on identification of traffic problems, identifying the potential of the Popham Road bridge project to address congestion:

“Problematic Intersections

Popham Road handles significant east-west vehicular traffic. The intersections at Garth Road and at Scarsdale Avenue have both been described by the Police Chief and by residents as problematic. This can be attributed to the heavy volume of cars during peak periods, the short queuing area for turns, the wide crossing distance for pedestrians, and the slightly irregular geometries of the intersection. However, both intersections were rebuilt as part of the Garth Road bridge reconstruction project in 2012 and greatly improved both vehicle and pedestrian movement.”⁶⁴

The 2018 Freightway Study anticipated the likely disruptions to already challenging traffic:

⁶² Request for Proposals - Freightway Site Redevelopment Study, page 3 (Feb. 2017) (“Scope of Work #5, Develop Goals and Objectives: Based on the land use analysis and community engagement results, develop goals and parameters for the development of the site. Provide graphic and/or visual analysis as necessary to assist in the assessment of the various goals. For each goal, identify potential impacts and or development constraints which might include revenue generation, parking, traffic, infrastructure, school enrollment and other municipal services as well as potential demographic changes. Identify issues which may require further study.”), at <https://www.scarsdale.com/DocumentCenter/View/1581/Freightway-Study-RFP-2017>.

⁶³ THE VILLAGE OF SCARSDALE REQUEST FOR PROPOSALS: FREIGHTWAY REDEVELOPMENT SITE, Site and Architectural Plans, page 10 (June 2019) (“2019 RFP”), at <https://www.scarsdale.com/DocumentCenter/View/4762/Freightway-Redevelopment-Site--Request-for-Proposal>.

⁶⁴ 2018 Freightway Study, page 35, at <https://www.scarsdale.com/DocumentCenter/View/2626/Freightway-Site-Redevelopment-Study-Feb-2018>.

“Transportation Issues

Congestion during peak commuting hours

Congestion at the site and along adjacent roads was an ongoing concern expressed by commuters, merchants and adjacent residents during outreach conducted for this study. The single point of egress from the site at Freightway and Garth Road leads to congestion in the evening peak hours, and the rush of vehicles and sporadic traffic flow leads to problematic conflicts between motorists and pedestrians. This congestion is largely limited to evening peak periods. The recently improved roadways generally function at acceptable levels during the rest of the service day. Popham Road is an important east/west route in Scarsdale, and its intersections with Garth Road and Scarsdale Avenue receive high vehicle volumes. Commuters also all exit the train at the same time, and thus all reach their parked vehicles in close succession. The Freightway/Garth Road intersection is very close to Popham Road (less than 200 feet), so any congestion at that intersection directly affects egress from the Freightway site and vice versa. Access to the site during the morning commute does not seem to be as big of an issue as the evening commute because there is an additional entry-only access point at the Beatty Lot and the traffic tends to be staggered across a longer time period.”⁶⁵

The Freightway Study also envisioned “improved vehicular and pedestrian circulation,” suggesting novel corridors that would provide access to Scarsdale Avenue and to and from the site.⁶⁶ The site plan description does not explain how the proposed project would accomplish these goals in the context of existing traffic problems, nor does it propose specifically how traffic calming would be achieved based on any projected impacts as required in the 2019 RFP, where developers were required, to “clearly describe the ways in which the Proposed Project benefits the Village of Scarsdale, including: new or improved physical and visual connections to Scarsdale Avenue, the Village Center, Popham Road, and Garth Road”:⁶⁷

“Narrative and illustrations describing and demonstrating the Proposed Project’s physical connections to and visual relationship with Garth Road, Popham Road, Scarsdale Avenue, and the Village Center;

Narrative and illustrations describing the proposed pedestrian and vehicular circulation for the Project Site’s various road users, including: commuters; project residents; project merchants/tenants; project shoppers/ patrons; public and visitors. Circulation for pick-up and dropoff at

⁶⁵ Id., pages 33-34, at <https://www.scarsdale.com/DocumentCenter/View/2626/Freightway-Site-Redevelopment-Study-Feb-2018>.

⁶⁶ 2018 Freightway Study, Principle 1: Improve Parking and Circulation, page 50 (“**1.4 Encourage creation of new connections to Scarsdale Avenue to improve vehicular and pedestrian circulation.** Congestion in/out of the garage is heavy during the peak commuting hours. Opportunities to improve vehicular and pedestrian access and egress from the site should be considered as part of a new development. One possibility to alleviate congestion could be the development of a vehicular ramp from the site over the Metro-North railroad tracks to Scarsdale Avenue, while maintaining pedestrian safety and access to and across the site.”). See also, 2018 Freightway Study, Principle 2: Ensure that public benefits are achieved by any development, page 51 (“**2.2 Encourage other public benefits.** It is recognized that developing the underutilized site has the potential to positively impact the community in a variety of ways. Some of the public benefits that can be encouraged as part of a redevelopment include:

- Providing a new connection to Scarsdale Avenue (across tracks). . .
- Improving access to Garth Road”), at <https://www.scarsdale.com/DocumentCenter/View/2626/Freightway-Site-Redevelopment-Study-Feb-2018>.

⁶⁷ 2019 RFP, DESCRIPTION OF PROPOSED PROJECT, Site and Architectural Plans, page 11, at <https://www.scarsdale.com/DocumentCenter/View/4762/Freightway-Redevelopment-Site--Request-for-Proposal>.

the train station, if any, and building service and loading should also be described and illustrated. . . .”⁶⁸

Freightway material on the Village website promotes the transit-oriented aspirations of potential redevelopment, and cites TOD “principles”:

“Transit-Oriented Development (TOD)

TODs are featured by our neighbors and in countless communities throughout the country to enhance vibrancy, livability, walkability, and sustainability near public transportation hubs.

Is this right for Scarsdale?

WALK | Develop neighborhoods that promote walking

CYCLE | Prioritize non-motorized transport networks

CONNECT | Create dense networks of streets and paths

TRANSIT | Locate development near high-quality public transport

MIX | Plan for mixed use

DENSIFY | Optimize density and transit capacity

COMPACT | Create regions with short commutes

SHIFT | Increase mobility by regulating parking and road use”⁶⁹

While the promotional material asserts that “Many TOD features align with Scarsdale Goals” it begs the question about how the integration of any of these goals will impact Scarsdale’s perennial traffic issues. The Freightway Site FAQ acknowledges these problems but merely hints that there should be a comprehensive, independent evaluation. The Committee recommends that this should be done by independent consultants as soon as possible:

“FAQ 13. ISN’T THERE TOO MUCH TRAFFIC IN THE VILLAGE CENTER ALREADY?

- Traffic can certainly be heavy, particularly as trains arrive in Scarsdale during the evening rush hour. Redevelopment of the Freightway Site is expected to improve vehicular circulation at the Freightway Site compared to the existing conditions.

- Evaluating on and off-site impacts to traffic circulation is a consideration when selecting a developer and during negotiations and will also be an important component of the environmental review process.”⁷⁰

⁶⁸ 2019 RFP, PUBLIC BENEFITS, page 11, at <https://www.scarsdale.com/DocumentCenter/View/4762/Freightway-Redevelopment-Site--Request-for-Proposal>.

⁶⁹ Freightway Redevelopment Timeline, at <https://www.scarsdale.com/DocumentCenter/View/5424/December-2019-Freightway-Timeline-PDF>, citing Institute for Transportation and Development Policy.

⁷⁰ Freightway FAQ 13 – Updated After RFP Responses, page 3 (Dec. 2019), at <https://www.scarsdale.com/DocumentCenter/View/5423/December-2019-Freightway-FAQ-PDF>.

Traffic circulation in the Village Center and in other areas of the Village, as has been discussed in this Report, is often congested and characterized by heavy volume, not just during the evening rush hour and not limited to the proposed Freightway site on Garth Road. Long-term solutions to many of the most persistent traffic problems have yet to be found, even after implementation of some recent improvements to signals and signage. That is why the forecast in Freightway FAQ 11, that “some inconvenience” is expected to be “inevitable in order to redevelop the site,” is as unambiguous as it is misleading. It is highly likely that everyone near the vicinity of the site will “want to avoid the Village Center during construction.”⁷¹

The likely disruption to the public of any Village Center development including traffic flow and parking during construction, such as has been proposed at Freightway as well as by Scarsdale Improvement Corporation at 30 Popham Road and 1 Spencer Place,⁷² could be significant and extensive in terms of the wide area affected, the lengthy period of construction, and possible delays over perhaps more than a year's duration. The Popham Road bridge and Christie Place renovation projects provide examples of such disruption. Similarly, a reduction in existing on-street parking during any development activity is likely to create additional negative impacts on traffic circulation in the Village Center and adjacent residential streets.

CONCLUSION

To be sure, the Committee does not purport to know precisely how to accomplish any of these goals, which are matters left to the Village Board and Manager's office, the Village Traffic Committee, and independent traffic consultants. The Committee's Report presents an informed perspective of the lived experience on Scarsdale's roadways and walkways. Consistent with Scarsdale Forum mission objectives, the focus is to provide “a platform for meaningful community dialogue about municipal, school and related civic affairs”. . . . submit our “feedback and recommendations to elected public officials, Village government and the Scarsdale School District for further consideration and action. . . .” and “help residents to become more involved in and empowered to contribute to civic life as part of a collaborative, inclusive community where all opinions, ideas and friendships are valued.”⁷³

The threshold question the Committee poses remains to be answered: How will unresolved traffic conditions throughout the Village be fixed? With or without new development, Scarsdale needs a comprehensive, effective strategy to solve its decades-old traffic and traffic management issues.

⁷¹ Id., “FAQ 11. I LIVE/WORK/SHOP/COMMUTE NEAR THE SITE. AM I GOING TO WANT TO AVOID THE VILLAGE CENTER DURING CONSTRUCTION?”

⁷² Scarsdale10583.com, “Ambitious Development Proposals for Popham Road and Christie Place Promise to Breathe New Life into Village Center” (Oct. 10, 2019), at <https://www.scarsdale10583.com/section-table/30-neighborhood-news/7832-ambitious-development-proposals-on-popham-road-and-christie-place-promise-to-breathe-new-life-into-village-center> .

⁷³ Scarsdale Forum Inc, Mission Statement, at <https://www.scarsdaleforum.org/mission>.

For all the above reasons, the Village of Scarsdale should promote motorist, pedestrian, cyclist and public health, safety and welfare, by:

1. lowering the maximum allowable area speed limit from 30 mph to 25 mph on all Village roads as New York State law allows, or, in the absence of such enabling legislation, lowering the speed limit on linear segments of certain roads; and
2. allocating appropriate resources to increase enforcement, to implement comprehensive strategies and improvements in signals, signage and road infrastructure, and to engage independent planning consultants as necessary, and
3. conducting a “Safety in Scarsdale” or “Driving in the Dale” campaign to communicate the importance to all roadway users of practicing safety on Village roads, be approved.

Respectfully submitted by the Members of the Scarsdale Forum Municipal Services Committee:

Madelaine Eppenstein, Chair

John Bensché

Alan Bey

Linda Blair

Jordan Copeland

Susan Upton Douglass

Kay Eisenman

Dara Gruenberg

Darlene LeFrancois Haber

Robert Harrison

Terri Harrison

Mark Lewis

Eli Mattioli

Steve Pass

Roger Pellegrini

ML Perlman

Gregory Soldatenko

EXHIBIT A

SCARSDALE VILLAGE

MEMORANDUM ON 25 MPH AREA SPEED LIMIT LEGISLATION



VILLAGE OF SCARSDALE

October 04, 2019

Sarah Bell
President, Scarsdale Neighborhood Associations

RE: NYS 25 mph Legislation

Dear Ms. Bell,

I recently met with Greg Schwend, Drake Edgewood Neighborhood Association President, Camille Roche, and Kima Schwend to discuss a variety of topics related to community traffic safety, broadly defined so as to be clear on the need to prioritize safety for all users, including pedestrians and bicyclists.

One of the more time-sensitive matters we discussed was legislation introduced to the New York State Assembly by Amy Paulin. If passed, the legislation would authorize cities, villages, and towns in New York to post an Area Speed Limit (community-wide speed limit) of not less than 25 mph. Current state law mandates that the Village of Scarsdale have a default Area Speed Limit of not less than 30 mph. Not only does there appear to be broad public support for amending the law to authorize the lower Area Speed Limit, but there are abundant and well-documented public safety benefits that can be realized by reducing the posted speed limit to 25 mph. The New York State Assembly will likely consider the legislation in Q1, 2020.

As added background, I have provided herewith a copy of a staff memo I prepared for Village Manager Pappalardo, seeking authority to proceed with an effort to cultivate public awareness and support for the pending 25 mph legislation; the memo was also shared with the Village Board. As you may be aware, the Village Board will consider at their Regular Meeting on Monday, October 07, a resolution in support of the legislation. In conveying this information to Mr. Schwend and Ms. Roche, asking of their interest in introducing the topic to SNAP, it was suggested that I attend the next SNAP meeting for that purpose. However, it happens to be the same night as Monday's Village Board meeting, so I am unable to attend. I would be honored to attend a future meeting to have a discussion on the topic, though.

In the interim, Greg and Camille felt it would be a good idea for me to transmit information to you for SNAP to review and consider at its next meeting, which I am pleased to do at this time.

Please feel free to call or email with any follow-up questions; my direct line is (914) 722-1108.

Cheers,

Robert Cole
Deputy Village Manager

Village of Scarsdale



Memorandum

Village Manager's Office

To: Stephen M. Pappalardo, Village Manager
From: Robert Cole, Deputy Village Manager
Date: September 23, 2019
Re: 25 mph Area Speed Limit Legislation

This memo requests your approval to initiate advocacy in support of NYS legislation seeking to authorize the Village of Scarsdale to establish an Area Speed Limit (village-wide speed limit) of 25 mph on locally controlled streets. At present, 30 mph is the lowest such Area Speed Limit the Village may legally establish; however, there is a compelling rationale for lowering the Area Speed Limit.

Assemblywoman Amy Paulin has recently introduced two bills, [A08600](#) and [A08599](#), in support of local authority to post or establish a 25 mph Area Speed Limit. The first one makes 25 mph the default Area Speed Limit in New York, while the second maintains the 30 mph default speed limit, but authorizes local elected bodies to decrease it to 25 mph. Existing exceptions of speed limits lower than 30 mph, such as school zones, would remain in effect and available as authorized local decisions.

Pending your approval, staff will engage in legislative advocacy to garner support for the proposed legislation from other municipalities and Westchester County, as well as from government-oriented associations, including the New York City/County Management Association (NYCMA), New York Conference of Mayors, and New York Association of Counties. The NYCMA Board of Directors, of which I am a member, recently discussed the matter and pledged the Association's full support; member communities have long-expressed frustration with the 30 mph mandate. A local public education and outreach effort is also needed to support passage of the legislation, an initiative that would benefit from collaboration with the Advisory Committee on Communications.

Importantly, while this memo is focused on one important dimension of local traffic safety and associated community quality of life concerns, it should also be noted that staff are working on a parallel track to develop a framework for transitioning away from ad-hoc, complaint-driven traffic safety investigations and toward a more deliberate approach to enhancing the safety of Scarsdale's neighborhood streets and other areas of elevated pedestrian and bicyclist activity.

The balance of this memo conveys additional background, including justification for amending NYS law such that Village of Scarsdale to establish an Area Speed Limit (village-wide speed limit) of 25 mph on locally controlled streets.

30 mph v 25 mph: What's the Difference?

The following data and key observations underscore the need to change NYS law:

- National Highway Traffic Safety Administration analysis of 23,753 pedestrian-involved accidents found that the risk of *fatality* was approximately 3.26 times higher with a 30 mph posted speed limit than with a 25 mph speed limit;¹
- National Highway Traffic Safety Administration analysis of 23,753 pedestrian-involved accidents found that the risk of *debilitating injury* was approximately 1.28 times higher with a 30 mph posted speed limit than with a 25 mph speed limit;²
- New York is the *only* state in the United States that mandates a maximum speed in urbanized residential neighborhoods of *not less than* 30 mph – all the rest are 25 mph or less;³
- New York is one of only five states comprising 43% of all pedestrian deaths, nationally;⁴
- The NYSDOT reports that 88% of pedestrian-involved accidents in New York occur in urbanized areas, such as Scarsdale, and 17% of such accidents are either fatal or incapacitating;⁵
- Outside of New York City, the NYSDOT reports that Westchester County experiences the second most pedestrian-involved accidents in the state of New York;⁶
- Although Chapter 25.6.1 of the NYSDOT Highway Design Manual characterizes neighborhood streets as “Category I Facilities,” for which the intended or desired vehicle operating speed is in the range of *15 mph to less than 25 mph*, NYS law inexplicably mandates a speed limit of not less than 30 mph in such areas.⁷

¹ United States Department of Transportation, National Highway Traffic Safety Administration. *Literature Review on Vehicle Travel Speeds and Pedestrian Injury*, by W.A. Leaf and D.F. Preusser. DOT HS 809 021, Springfield, VA: National Technical Information Service, October 1999. <https://one.nhtsa.gov/people/injury/research/pub/hs809012.html#empirical> (accessed September 09, 2019).

² United States Department of Transportation, *Literature Review on Vehicle Travel Speeds and Pedestrian Injury*.

³ John Carr. *Urban Speed Limit Summary*, n.d., <http://www.mit.edu/~jfc/urban-speed.html> (accessed September 09, 2019).

⁴ Governors Highway Safety Association, *Pedestrian Traffic Fatalities by State*, by Richard Retting Sam Schwartz Consulting, Washington, D.C.: GHSA, February 28, 2018. https://www.ghsa.org/sites/default/files/2018-03/pedestrians_18.pdf (accessed September 09, 2019).

⁵ New York State Department of Transportation, Governor's Traffic Safety Committee, and Department of Health, *New York State Pedestrian Safety Action Plan*, page 7. June 20, 2016. <https://www.ny.gov/sites/ny.gov/files/atoms/files/pedestriansafetyactionplan.pdf> (accessed September 09, 2019).

⁶ *Ibid.*, page 18.

⁷ New York State Department of Transportation. Highway Design Manual, Revision 26, p. 25-10. February 05, 1999. https://www.dot.ny.gov/divisions/engineering/design/dqab/hdm/hdm-repository/chapt_25.pdf (accessed September 09, 2019).

The difference between 30 mph and 25 mph is significant, and there is a clear and compelling public safety-oriented rationale for amending NYS law, as proposed.

New York State Law: An Overview of the 30 mph Minimum Posted Speed Limit Mandate

The New York State Vehicle and Traffic Law (VAT) mandates a minimum 30 mph Area Speed Limit for Villages and Cities.⁸ Establishing a 25 mph Area Speed Limit requires NYS legislative approval, which staff has been advised is rarely granted; it's a political process that heavily favors the status quo. While there are limited as-of-right exceptions to the 30 mph mandate, such as local authority to designate a 25 mph Linear Speed Limit along a particular roadway segment, as well as to establish school zone speed limits of not lower than 15 mph, both the establishment of an 25 mph Area Speed Limit and any work-around involving a series of Linear Speed Limit designations to effectuate a 25 mph Area Speed Limit are both prohibited by NYS statute.

On the question of designating multiple Linear Speed Limits as a work-around to achieve a 25 mph Area Speed Limit, Opinion 98-23 issued by the New York State Comptroller includes the finding that "... a village may not, under the guise of imposing linear 25 m.p.h. speed limits on several neighboring designated highways, avoid the prohibition against imposing such a speed limit on an area basis." At the same time, the guidance observes that the VAT "... does not indicate any particular percentage or number of highways which may be designated at twenty-five m.p.h."⁹ Thus, legal compliance is impossible to affirmatively determine because neither the Opinion nor the statute provide guidance on the threshold beyond which multiple Linear Speed Limit designations become a prohibited Area Speed Limit.

Laws should not be written in such a manner that compliance cannot be affirmatively determined.

Additionally, the VAT varies the minimum speed limit a local government entity is authorized to establish based on its type of political subdivision, rather than upon traditional traffic engineering and land use characteristics that should control such decisions. To illustrate, while villages and cities not otherwise granted a legislative exception to the law must maintain a maximum Area Speed Limit of not less than 30 mph, state highways and Indian reservations are authorized, as-of-right, to establish maximum speeds of not less than 25 mph, and the same holds true for county roads and town highways.

The establishment of speed limit regulations should not be based on whether a unit of local government is a village, city, town, county, state, or Indian reservation.

All New York residents and the traveling public are entitled to the public safety and quality of life benefits associated with their local government having the as-of-right authority to establish a maximum Area Speed Limit of not less than 25 mph, where conditions warrant. This is acutely

⁸ New York State Vehicle and Traffic Law. Title 8, Article 39, §1643 – Speed Limits on County Roads and Town Highways. <http://public.leginfo.state.ny.us/lawssrch.cgi?NVLWO>: (accessed September 09, 2019).

⁹ New York State Office of the State Comptroller, Opinion 98-23. <https://www.osc.state.ny.us/legal/1998/legalop/op98-23.htm> (accessed September 09, 2019).

important in urbanized areas where pedestrian conflicts are common. By way of added background, the primary reason for the 30 mph standard is reportedly to maintain speed limit consistency throughout New York State so as to avoid driver confusion – an explanation lacking face validity, particularly given the prevalence of authorized exceptions to the 30 mph mandate and discrepancies in the manner that varying forms of local governments are treated under the VAT.

The nature of the places New Yorkers live, work, and play sharply varies along a continuum of highly urban to rural development patterns. While a 30 mph or higher speed limit may be appropriate in certain rural communities, it is unambiguously inappropriate for neighborhoods and commerce centers in communities similar to Scarsdale. The VAT should provide as-of-right local authority to post an Area Speed Limit of 25 mph, as determined necessary and appropriate by local officials familiar with their community's needs.

Traffic Safety Committee Consideration

As you know, the Village of Scarsdale Traffic Safety Committee (TSC), comprised of public safety, public works and engineering, and Village Manager's office personnel, is charged with receiving and evaluating traffic safety-related service requests and community concerns. The TSC was asked to consider whether a 25 mph Area Speed Limit is appropriate for Scarsdale, having concluded that a 25 mph Area Speed Limit supports improved traffic safety and is appropriate for Scarsdale's residential neighborhoods and other areas of elevated pedestrian activity, such as the Village Center.

As added background, one of the more common requests that the Traffic Safety Committee receives is for stop sign installation. On occasion, Village staff determines that a new stop sign is warranted; however, in view of there being few significant changes in traffic volumes, accident frequency, or roadway geometry over time, it is more likely that a new stop sign is not warranted. Rather, visual obstructions and here-to-corner parking problems are more frequently found to contribute to unsafe conditions, as they interfere with necessary lines of sight at the subject intersections. Once such visual obstructions are remedied, drivers exhibiting ordinary caution can safely navigate most intersections brought to the TSC's attention.

Of note, there is a common public misconception that stops signs help to control speed, and further, that their deployment invariably improves safety.

Concerns about neighborhood speeding underlie virtually every stop sign request received. However, the Manual for Uniform Traffic Safety Control Devices (MUTCD) indicates that stop signs are not to be used for speed control.¹⁰ Stop sign deployment in locations where the established warrants have not been met cultivates unintended consequences, such as decreased compliance with the requirement for a full stop, an increase in speeding between stop signs, excess noise and pollution associated with

¹⁰ United States Department of Transportation, Federal Highways Administration. *Manual for Uniform Traffic Safety Control Devices, Including Revision 1 dated May 2012 and Revision 2 dated May 2012*, Section 2B.04, p. 50, and Section 2B.07, page 52. Washington, D.C.: FHWA, December 2019. <https://mutcd.fhwa.dot.gov/pdfs/2009r1r2/mutcd2009r1r2edition.pdf> (accessed September 09, 2019).

start and stop traffic, and diversion of traffic to other neighborhood streets.^{11,12} Thus, while seemingly an intuitive speed management tool, research indicates that not only do stop signs fail to reduce the incidence speeding, but when deployed inappropriately they cause new and/or increased traffic safety and community quality of life problems.¹³

Proactively setting appropriate speed limits, deploying context-sensitive traffic calming measures, and providing supplemental enforcement, where needed, are all appropriate methods for reducing vehicle speeds in residential and other areas with elevated pedestrian activity. While a variety of traffic calming measures may play critical roles in providing for neighborhood traffic safety, this memo focuses on a single, yet critical, element of the discussion: The NYS-mandated minimum 30 mph speed limit. Residents coming in contact with the Village's Traffic Safety Committee have often suggested implementation of a 25 mph speed limit, not knowing that NYS law precludes the Village from doing so; the proposed initiative intends to correct that.

The Traffic Safety Committee agrees with Scarsdale residents expressing safety and neighborhood quality of life concerns in connection with vehicle travel speed in residential areas; vehicles may be moving too fast through some neighborhoods, despite the vast majority of drivers being in compliance with the posted 30 mph speed limit. A vehicle moving at the posted speed limit of 30 mph in a residential neighborhood not only conveys the perception of a speeding vehicle, but is, in fact, moving at a speed inappropriate for many Scarsdale neighborhood settings. Reportedly, at least one previous regionally-supported legislative initiative targeting the 30 mph minimum speed failed to garner support in Albany. However, with the more recent focus on pedestrian safety regionally, statewide, and even nationally, there is reason to believe that a renewed effort may be successful – abundant data supports the need to better support neighborhood safety and quality of life through implementation of a reduced Area Speed Limit.

Summary

The NYS Vehicle and Traffic Law should be amended to provide as-of-right authority for all political subdivisions in the state to implement an Area Speed Limit of not less than 25 mph.

¹¹ City of Fort Collins, CO, "FAQ: Why Don't they Put in More Stop Signs?" <https://www.fcgov.com/traffic/pdf/ntsp-stop.pdf> (accessed September 09, 2019).

¹² There are abundant technical documents, agency FAQ's, and peer reviewed literature supporting the finding that the deployment of stop signs in contradiction to the MUTCD standards and guidance results in myriad unintended consequences that run contrary to the goal of enhanced neighborhood traffic safety and improved quality of life. The Fort Collins example was selected simply on the basis of its concise summary of the relevant body of knowledge on the topic, not because it is particularly authoritative.

¹³ Residents have, from time-to-time, cited Eastchester as an example of abundant stop signs serving to support neighborhood traffic safety and quality of life goals. However, a staff comparison of traffic accident data available from <https://www.itsmr.org/TSSR/> revealed that Eastchester experiences roughly 42.8% more traffic accidents than Scarsdale on an absolute basis, 2.89 times more accidents per square mile of land area, and 25% more accidents on a per 1,000 residents basis. Data limitations in the comparison include having assumed the anecdotal observation that Eastchester exhibits higher stop sign density than Scarsdale is true, as well as the choice not to evaluate other variables potentially influencing crash rates. Despite such limitations, however, crash rate differences of the observed magnitude suggest meaningful differences in favor of Scarsdale's approach to traffic safety when compared to Eastchester's.

The 30 mph mandate is little more than an artifact of the days when traffic controls served primarily one purpose: To move as many cars as quickly as possible from one destination to another. Scarsdale streets need to be safe for all users, regardless of age, ability, or mode choice.

Pending your direction, staff will initiate a legislative advocacy initiative in support of the legislation introduced by Assemblywoman Amy Paulin, coordinating associated activities with various government and government-oriented partners to maximize our influence in Albany.

EXHIBIT B
SCARSDALE PEDESTRIAN-INVOLVED ACCIDENTS
2010 THROUGH 2019

