

**A Public Hearing was held Monday, September 24, 2012, at 6:00pm at Town Hall,  
18 Russell Avenue, Ravena, New York**

**PRESENT:** Stephen D. Flach, Supervisor  
Dawn L. Rogers, Councilwoman  
Thomas A. Boehm, Councilman  
Thomas E. Dolan, Councilman  
Peter E. Masti, Councilman

**ALSO PRESENT:** Diane L. Millious, Town Clerk

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Supervisor Flach opened the Public Hearing and led the Pledge of Allegiance.

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**NOTICE OF PUBLIC HEARING**

Supervisor Flach asked that Town Clerk Millious read the Notice of Public Hearing that was published in the Ravena News Herald.

**NOTICE**

**PUBLIC HEARING**

**PLEASE TAKE NOTICE**, that a Public Hearing will be held by the Town Board of the Town of Coeymans, on September 24, 2012 at 6:00pm at Town Hall, 18 Russell Avenue on Proposed Local Law #4-12 as follows:

**Town of Coeymans  
Proposed Local Law #4-12 “Signs”**

**A LOCAL LAW, WHICH DEALS WITH SIGNS LOCATED WITHIN THE  
TOWN OF COEYMANS**

A copy of the Proposed Law may be obtained at the Town Clerk’s Office during regular business hours, Monday – Friday 8:30am to 4:30pm.

**By Order of the Town Board  
of the Town of Coeymans  
Diane L. Millious  
Town Clerk**

Town Clerk Millious continued by reading Proposed Local Law #4-12

**LOCAL LAW #2-2012 “SIGNS”**

**A LOCAL LAW, WHICH DEALS WITH SIGNS LOCATED WITHIN THE  
TOWN OF COEYMANS.**

**BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF COEYMANS AS  
FOLLOWS:**

**A. Title**

This law shall be known as the “Signs” Law.

**B. Statutory Authorization**

This local law is hereby adopted pursuant to the provisions of the New York State Municipal Home Rule Law.

**C. Intent**

In accordance with the Comprehensive Plan of 2006 for the Town of Coeymans, it is the intent of this law to promote and protect the public health and welfare of the residents of the Town of Coeymans by regulating existing and proposed on-premise advertising signs and signs of all types within the Town of Coeymans. This section is intended to create a more attractive economic and business climate, enhance the physical appearance, scenic and natural beauty of the community.

**D. General Regulations**

(1) No person, firm or corporation shall hereafter erect, re-erect, construct or structurally alter a sign or sign structure without first obtaining a permit issued by the Building Inspector.

(2) Every application for a sign permit shall be accompanied by plans to scale showing the area of the sign; the position of the sign in relation to nearby buildings or structures; the location of the building, structure or lot to which or upon which the sign is to be attached or erected; the method of illumination, if any; and statements indicating compliance with appropriate construction standards.

(3) No sign shall be erected which, in the opinion of the Building Inspector, may cause hazardous or unsafe conditions. If such signs exist, they shall be removed upon direction of the Building Inspector following notification to the owner.

(4) No sign, with the exception of an official traffic sign, a civic organization sign and/or a religious organization sign shall be erected within the right-of-way of any public street or highway.

**E. General Standards**

(1) Unless otherwise provided for in this section, no sign shall have more than two sides. The maximum allowable square footage of a two-sided sign shall be the sum of both sides, unless otherwise specified.

(2) All illuminated signs shall bear the Underwriters' Laboratories, Inc., seal in conformance with U.L. 48 or be inspected and by an authorized electrical inspection company.

(3) All freestanding signs shall be designed and constructed to withstand a wind pressure of not less than 90 pounds per square foot of surface area.

(4) All signs, including wall signs and projecting signs, shall be securely anchored and shall not swing or move in any manner.

(5) All signs shall be constructed of durable materials and shall be maintained in a good condition.

(6) Projecting signs shall have no more than two sides. The exterior edge of a projecting sign shall extend not more than five feet from the building face or one-third the width of the sidewalk over which it is suspended, whichever is less. No part of a projecting sign shall extend into a vehicular traffic area. A projecting sign suspended over a pedestrian traffic area shall have a clearance of not less than seven feet six inches. No sign shall project from an awning.

(7) On multi-story buildings, projecting signs shall be attached to the building above first-story windows and below second-story windowsills. On one-story buildings, projecting signs shall be attached above first-story windows and below the roofline. The size and location of a projecting sign shall complement neighboring signs.

(8) No wall sign shall be higher than the building to which it is attached. A maximum height of 30' is permitted.

(9) Illumination of any sign shall not produce a direct glare beyond the limits of the property. Ground-mounted spotlights used to illuminate a sign shall be shielded.

(10) All billboards of more than 150 square feet will be permitted with a Special Use Permit issued through the Planning Board. (A billboard sign is one, on which illustrated poster, or painted equivalents, are displayed).

(11) All freestanding signs of more than 150 square feet will be permitted with a Special Use Permit issued through the Planning board. (A freestanding sign shall mean a sign not attached to a building).

(12) Freestanding signs shall be set back a minimum of 10 feet from any highway right-of-way, or 35 feet from any highway center line, whichever is greater.

**F. Signs in the Residential Districts.**

(1) On all residential and mixed uses, one freestanding or wall sign is permitted, the total area of which shall not exceed 12 square feet. Freestanding signs shall be set back 35 feet from the highway center line. The height of the freestanding sign shall not exceed six feet above the finished grade.

(2) On multi-family premises, one freestanding and one wall sign are permitted. Wall signs shall have a maximum area of 20 square feet maximum. Freestanding signs shall have maximum area of 12 square feet per side and a maximum height of six feet.

(3) One sandwich/sidewalk sign of 12 square feet or less per side is permitted, provided that such signage is not placed so as to impede, restrict or otherwise interfere with pedestrian or vehicular traffic. Such signs shall not be permanently affixed to any structure, shall be displayed only during hours of operation, and shall be located between the building facade and the street. All other portable signs are prohibited.

(4) Signs in these districts may be lit by external means only.

**G. Signs in the Commercial/Industrial Districts**

(1) On all non-residential premises, wall signs and one freestanding sign are permitted. Wall signs shall have a maximum area of 50 square feet and shall not exceed 25% of the wall area to which it is attached. Freestanding signs shall have a maximum area of 150 square feet per side and a maximum height of 30 feet in height above the finished grade. Freestanding signs shall be set back 35 feet from any highway center line.

(2) Home occupations shall allow one freestanding or wall sign. Such sign shall not exceed 12 square feet in area and shall be set back 35 feet from the highway center line. No freestanding sign shall exceed 6 feet in height above the finished grade.

(3) Signs attached to buildings.

(a) No business sign shall exceed in area 25% of the area of the wall to which such sign is attached, nor shall such sign project more than 12 inches beyond the exterior face of such wall.

(b) Signs projecting above building roofs. One roof sign, per building, not to exceed 32 square feet and not more than 30 feet above grade and/or ground level shall be permitted.

(c) Freestanding signs. Not more than one freestanding sign, with the area of one side of such sign not to exceed 150 square feet, shall be erected on any lot for each 10 acres and/or each 400 feet of street frontage, or fraction thereof, of such lot; hereinafter, no such signs shall encroach on any required front yard.

(4) One sandwich/sidewalk sign of 12 square feet or less per side is permitted, provided that such signage is not placed so as to impede, restrict or otherwise interfere with

pedestrian or vehicular traffic. Such signs shall not be permanently affixed to any structure, shall be displayed only during hours of operation, and shall be located between the building facade and the street.

**H. Signs in the Residential/Agricultural (R/A) District**

(1) Home occupations shall allow one freestanding or wall sign. Such sign shall not exceed 12 square feet in area and shall be set back not less than 35 feet from the highway center line. No freestanding sign shall exceed 6 feet in height above the finished grade.

(2) Approved commercial uses in the residential/agricultural district shall be regulated by the Commercial/Industrial Districts portion of this local law (section G. Signs in the Commercial/Industrial Districts).

(3) All residential uses in the residential/agricultural district shall be regulated by the Residential District portion of this local law (section F. Signs in the Residential Districts).

(4) Agricultural uses are to be considered as commercial uses.

**I. Signs in Shopping Centers and Shopping Malls**

(1) Notwithstanding any other provision of this section, a shopping center or shopping mall is permitted one freestanding sign per store. Freestanding sign(s) shall not exceed 300 square feet in area per side and shall not exceed 30 feet in height. Sign(s) shall be set back 35 feet from any highway center line, and shall not be placed less than 15 feet of any other property line.

(2) Each tenant is permitted one wall sign. Such wall sign shall not exceed 25% of the store front. Such sign shall not exceed the height of the facade. If the space such tenant occupies has more than one side of the enclosed center/mall building and therefore more than one facade, the tenant shall be allowed a maximum of two signs to be placed on the building's facade, one on each facade.

(3) Portable signs are prohibited except for sidewalk/sandwich board signs with a maximum area of 12 square feet per side that are permitted between the building and the parking.

**J. Nonconforming Signs**

Signs that were legally erected before the adoption of this chapter and which do not conform to the provision of this chapter may continue to be maintained as legal nonconforming signs, provided that such signs shall not be enlarged, reworded (other than in the case of theater or cinema signs or other signs that were designed to periodically change message, including signs designed to list multiple tenants), re-designed or altered in any way, including repainting in a different color, except to conform to the requirements of this chapter. Routine maintenance, including repainting of a nonconforming sign in the same color and design, shall be allowed.

**K. Prohibitions**

(1) No off-premises signs shall be allowed other than as permitted for agricultural premises and as stated in the exempt signs provisions of this section.

(2) No sign shall be illuminated by or contain flashing, intermittent, rotating or moving lights, except to show time, date and/or temperature.

(3) No sign shall contain any moving parts.

(4) No sign shall impair or cause confusion of vehicular or pedestrian traffic in its design, color or placement.

(5) Signs which appear animated or projected, or which are intermittently or intensely illuminated or of a traveling, tracing, scrolling, or sequential light type, or signs which contain or are illuminated by animated or flashing light are prohibited.

**L. Exempt Signs**

The following signs are exempt from these provisions:

- (1) Decorative banners, flags, posters, placards and streamers on residential premises.
- (2) Decorative banners on nonresidential premises not containing any words, labels, figures or descriptions.
- (3) Permanent monument signs as part of a decorative entryway for pedestrian or vehicular traffic.
- (4) Historical markers, tablets and statues, memorial signs and plaques; names of buildings and dates of erection when cut into any masonry surface or when constructed of bronze, stainless steel or similar material; and emblems installed by governmental agencies or religious or nonprofit organizations, not exceeding six square feet.
- (5) Flags and insignia of any government.
- (6) On-premises directional signs for the convenience of the general public, identifying public parking areas, fire zones, entrances and exits, not exceeding four square feet per face and six feet in height. Business names and personal names shall be allowed, excluding advertising messages.
- (7) Number and name plates identifying residences mounted on the house, building, apartment or mailbox, not exceeding two square feet in area.
- (8) Lawn signs identifying residences, not exceeding one square foot. Such signs are to be non-illuminated except by a light that is an integral part of a lamppost if used as a support.
- (9) Private owner merchandise sale signs for garage sales and auctions located on the premises, not exceeding four square feet, for a period not exceeding seven days in any one month.
- (10) On-premises "No Trespassing" or "Private Property" or similar signs.
- (11) Real estate signs.
  - (a) Temporary, non-illuminated "For Sale," "For Rent," and "For Lease" real estate signs and signs of a similar nature concerning the vacant or improved real property upon which the sign is located, provided such signs do not exceed six square feet per side in a residential district and 32 square feet per side in a nonresidential district.
  - (b) Temporary "Opening Soon," "Coming Soon," and "Grand Opening" signs, and signs of a similar nature concerning the vacant or improved real property upon which the sign is located, provided such signs do not exceed 32 square feet per side, are limited to one such sign per property and are displayed only during the period of project construction and/or for a period not to exceed 30 days from the issuance of a certificate of occupancy for the establishment(s) advertised by said sign. In no instance shall said signs be displayed for a period exceeding one year from the date an application is submitted for the initial building permit for the project.
- (12) Temporary, non-illuminated window signs and posters not exceeding 10% of the total window surface of a building.

(13) At a gasoline dispensing station, integral graphics or attached price signs on gasoline pumps and one portable sign per station not exceeding 16 square feet.

(14) Drive-through menu boards.

(15) Temporary informational and directional signs for meetings, conventions and other assemblies displayed only for the duration of the event.

(16) One sign, not exceeding 6 square feet in a residential district or 32 square feet in a nonresidential district, listing the architect, engineer, contractor and/or owner on premises where construction, renovation or repair is in progress.

(17) Political posters and similar signs as long as they are not placed within the right-of-way of any Town street or highway or on any other Town-owned property.

(18) Temporary grand opening banners, advertising banners that do not exceed 60 square feet in area, are limited to one banner per establishment and are displayed only during that period commencing on the date of issuance terminating 30 days thereafter.

(19) Temporary "Brand" Advertising Signs, which do not exceed 32 square feet and are displayed only for a period not longer than 60 days.

(20) A flag flown by a business with copy limited to the word "open," provided that said flag is attached to the building housing the business, the size of the flag is no greater than 15 square feet, the flag is removed when the business is closed, and no more than one flag is displayed per establishment.

(21) Signs that display time and/or temperature, electronic-message-center-type (LED, LCD) signs which display electronically changeable messages consisting of illuminated text or graphics that do not exceed 12 square feet.

**M. Application Fee**

There is currently no charge for obtaining a sign permit. Application fees may be set, from time to time, and at the discretion of the Town Board as per the Town of Coeymans Town Code Section A170 Permit Fees.

**N. Substitution Clause**

Any sign authorized pursuant to this chapter may contain a noncommercial message constituting a form of expression in lieu of other copy.

**O. Enforcement**

The Code Enforcement Official shall enforce this law and/or assistants duly authorized by the Town of Coeymans.

**P. Repealer**

This law repeals Chapter 165-10-Q of the Code of the Town of Coeymans.

**Q. Effective Date**

This law shall take effect upon its proper filing with the office of the Secretary of State.

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**PUBLIC COMMENT**

Supervisor Flach invited the public to comment at this time.

**Ms. Ginny Pearson** stated that she had one question and added that she is not sure if they went over political signs and garage sale signs and other types of signs that get up and never get taken down and whether there is a time frame.

Supervisor Flach stated that there is a timeframe in there.

Collectively it was decided that there is not a timeframe for political signs.

Attorney for the Town Wukitsch interjected that as far as political signs it is good etiquette for who ever is running for political office to remove them in a timely manner and he does not know whether or not they would want to go to the point of making it a violation of the Local Law and added that he would expect who ever is running for a political office to clean them up.

Supervisor Flach asked if there were any other comments.

**Ms. Donna Pasquini** inquired as to who actually wrote the law.

Supervisor Flach stated that he drafted it himself and looked at the current Town Code along with adjoining towns to see the wording. He added that signs is currently in the Zoning Law Chapter 165 10-Q and it was very restrictive and in order to restructure the Zoning, this has to be a stand-alone Local Law.

Ms. Pasquini asked if the Planning Board or Zoning Board was in on this.

Supervisor Flach stated that the Planning Board went over it.

Ms. Pasquini stated that she was present at one of their meetings when they were going over the laws and she found something to be a very big conflict of interest when she heard Mr. Conrad telling them what to put in this law, which is a law that he has to enforce and reiterated that it is a huge conflict of interest to write the law that you have to enforce.

Supervisor Flach stated that Mr. Conrad is the Building Code Enforcer.

Ms. Pasquini interjected that he can't write the laws that you have to enforce.

Supervisor Flach stated that Mr. Conrad works hand in hand with the Planning Board.

Ms. Pasquini stated that he works with everyone and has his hand in every pocket in town.

Supervisor Flach asked if there were any other comments, hearing none he asked for a motion to adjourn the Public Hearing.

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**ADJOURNMENT**

Supervisor Flach asked for a motion to adjourn the meeting.

**MOTION**

On motion of Councilman Dolan, seconded by Councilman Boehm, the Public Hearing was adjourned.

VOTE – AYES 5 – NAYS 0 – SO MOVED

*Respectfully Submitted,*

**APPROVED -**

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*Diane L. Millious, Town Clerk*