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AGENDA
TOWN BOARD MEETING
TOWN OF GLENVILLE
18 GLENRIDGE ROAD
APRIL 21, 2021
7:00 P.M.
www.townofglenville.org

Supervisor:

Christopher A. Koetzle

Council Members

Gina M. Wierzbowski,

Deputy Supervisor

Michael Aragosa

Michael R. Godlewski

James M. Martin

1. Invocation
2. Pledge of Allegiance to the Flag.
3. Roll Call
4. Town Council Reports
5. Public hearing at 7:00 PM or as soon thereafter as can be reached regarding proposed amendments to Chapter 270, Section 166 "Solar Energy" of the Code of the Town of Glenville.
6. Public hearing at 7:00 PM or as soon thereafter as can be reached regarding proposed amendments to Chapter 270, "Sign Requirements" of the Code of the Town of Glenville.
7. Privilege of the Floor
8. Supervisor's Comments
9. Resolution authorizing the settlement of a tax certiorari proceedings brought relative to the property known as S/B/L #30.-1-43
10. Resolution scheduling a public hearing for Wednesday, May 5, 2021 at 7:00 PM or as soon thereafter as can be reached at the Glenville Municipal Center, 18 Glenridge Road, Glenville, NY regarding proposed amendments to Article V, "Uses Permitted and Dimensional Regulations by District", Chapter 270-19.1, 270-21, 270-23 and 270-24 of the Code of the Town of Glenville.
11. Resolution adopting Local Law No. 7 of 2021 amending Chapter 270, Section 166, "Solar Energy" of the Code of the Town of Glenville.
12. Resolution adopting Local Law No. 8 of 2021 amending Chapter 270, "Sign Requirements" of the Code of the Town of Glenville.
13. Resolution authorizing the Supervisor to sign a contract with Davey Resource Group, Inc., 295 S. Water Street, Kent, Ohio 44240, for the inventory and management plan under the NYSDEC Urban Forestry Grant.
14. Resolution approving the minutes of the Regular Town Board meeting held on April 7, 2021

15. Resolution approving the Monthly Departmental Reports for March, 2021.
16. New Business
17. Resolution authorizing the Town Board to enter into Executive Session to discuss a personnel matter.

Sponsored by: Michael Godlewski, Town Councilman
Submitted by: William S. Purtell, Town Assessor

RESOLUTION NO. 9

Moved by:
Seconded by:

WHEREAS, a Petition and Notice to Review the Assessment for taxation for the tax roll year 2020 was commenced by Highbridge Development Airport SP, LLC, the then-owner of the real property described on the assessment rolls as tax map No. 30.-1-43 and commonly known as 21 Airport Road, Glenville, New York as 241 Saratoga Road, Glenville, New York (S/B/L # 30.-1-43) and was duly served upon the Assessor in 2020; and

WHEREAS, Highbridge Development Airport SP, LLC transferred its ownership of the property to NCGRE Project X, LLC on or about October 1, 2020; and

WHEREAS, the Town, through its Assessor, have thoroughly reviewed this matter and are prepared to enter into a Stipulated Final Judgment and Stipulation in compromise and settlement of their differences as follows;

That the proceeding for tax roll year 2020 in relation to the subject parcel of real property shall be discontinued and the proceedings for the tax roll year 2020 shall be settled on the following terms and conditions:

1. This settlement is made in resolution of all past and present claims or proceedings with respect to the subject property's real property tax assessment;
2. Approval of this settlement and all required authorizations and enactments by the necessary parties shall be made in good faith and as expeditiously as possible;
3. Pursuant to Real Property Tax Law section 727, the proceedings for the subject tax roll years shall be settled by establishing the assessment of the 21 Airport Road property at the revised assessed values as follows:

Year	Tax Map Number	Original Assessment	Revised Assessment	Reduction
2020	30.-1-43	\$5,714,000	\$5,357,000	\$357,000

4. That there is no refund for 2020 Town, Highway and Special District taxes to be paid.
5. That refunds based on the sum equal to the difference between the real

property taxes paid based upon the 2020/21 school tax bill and the taxes that would have been paid if the assessment had been based upon the Revised Assessment for such year(s), including all interest and costs, shall be waived in consideration for the above reduction.

6. All other provisions of the RPTL section 727, including RPTL 727 (2) shall apply to this settlement. That is, the property owner agrees not to bring another tax certiorari proceeding with respect to this property for the three years following the affected tax year unless the improvements on the property shall be destroyed, demolished or removed and the Assessor agrees to maintain the assessment based upon the revised assessed value for 2020 (as stated above) for those three years unless required by additions, alterations or capital improvements.
7. In consideration hereof, the tax certiorari proceedings brought by the taxpayer shall be discontinued on the merits with prejudice and without costs to either party or against the other.
8. The parties agree that the Stipulated Final Judgment is entered into for good and valuable consideration, that it is the entire agreement of the parties, that it is made to resolve this litigation and shall not be offered in any other proceeding by any party as competent evidence of any fact, that the Stipulated Final Judgment may be filed in the office of the Schenectady County Clerk and an Order may be entered, based upon the Stipulation by either party on notice to the other.

WHEREAS, it appears to be in the best interests of the Town to settle said matter as recommended by the Attorney for the Town and the Assessor without further attendant legal and appraisal costs; and

WHEREAS, the property is located in the Scotia-Glenville Central School District, and the District has intervened in the proceedings;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby authorizes the Assessor for the Town to enter into Stipulated Final Judgment and Stipulation with NCGRE Project X, LLC for the settlement of the tax certiorari proceedings brought relative to the property known as 21 Airport Road, Glenville, NY (S/B/L # 30.-1-43) under the terms outlined above.

Ayes:

Noes:

Absent:

Abstention:

Motion Carried / Denied

Town Board decision on April 21, 2020

Sponsored by: James M. Martin, Town Councilman
Submitted by: Earl Redding, Attorney for the Town

RESOLUTION NO. 10

Moved by:
Seconded by:

WHEREAS, a Member of the Town Board of the Town of Glenville is introducing a Local Law to amend Article V, "Uses Permitted and Dimensional Regulations by District", Chapter 270-19.1, 270-20, 270-23 and 270-24 with accompanying amendments to the Code of the Town of Glenville (a copy of which is attached hereto); and

WHEREAS, this proposed Code amendment is the product of much study and discussion by the Town of Glenville Code Revision Commission which found that the use referenced in the solar law is not cross-referenced in the town zoning code permitted uses under the separate *Districts* as described in Article V; and

WHEREAS, the Local Law clarifies the existing regulations regarding approval processes, and constitutes a Type II Action under the State Environmental Quality Review Act (SEQRA) which does not require further review; and

WHEREAS, a duly scheduled public hearing must be held in order to amend the existing code by Local Law;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Glenville will meet at the Glenville Municipal Center, 18 Glenridge Road, Glenville, New York on Wednesday, May 5, 2021 at 7:00 P.M., or as soon thereafter as possible, at which time it will hear all persons interested in the proposed amendments of Article V, "Uses Permitted and Dimensional Regulations by District", Chapter 270-19.1, 270-20, 270-23 and 270-24 of the Code of the Town of Glenville; and

BE IT FURTHER RESOLVED that the Town Clerk be, and she hereby is directed to prepare the proper notice of said hearing in accordance with law and to publish same at least ten days prior to the date of the public hearing and to provide same to the Village of Scotia and the City of Schenectady; and

Ayes:
Noes:
Absent:
Abstentions:

Motion Carried/Defeated

Town Board Decision on April 21, 2021

Sponsored by: Christopher A. Koetzle, Town Supervisor
Submitted by: Earl T. Redding, Attorney for the Town

RESOLUTION NO. 11

Moved by:
Seconded by:

WHEREAS, the Town of Glenville is proposing a Local Law (a copy of which is attached) that amends Article XXII, "Solar Energy", Chapter 270-166 for the Code of the Town of Glenville; and

WHEREAS, the intent of this section is to clarify the required approval process for large scale solar applications within eligible zoning districts in the Town of Glenville; and

WHEREAS, the Glenville Town Board has determined that this code amendment constitutes a "Type II Action" in accordance with 6 NYCRR Part 617.4(b)(2) of the State Environmental Quality Review Act in that it involves a clarification of an existing section of the zoning code; and

WHEREAS, New York State Town Law and the Code of the Town of Glenville, require that the Town Board hold a public hearing before a code amendment or a local law may be adopted; and

WHEREAS, the Town Board of the Town of Glenville held a public hearing with respect to the zoning code amendment and adoption of said Local Law on Wednesday, April 21, 2021 at 7:00 PM, at which time and place were heard all persons interested in the amendment of Article XXII, "Solar Energy", for the Code of the Town of Glenville,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Glenville does hereby adopt Local Law No. 7 of 2021 amending Article XXII, "Solar Energy", of the Code of the Town of Glenville; and

BE IT FURTHER RESOLVED, that this Local Law shall take effect twenty (20) days after filing with the Secretary of State of the State of New York.

Ayes:
Noes:
Absents:
Abstentions:

Motion Carried/Defeated

Town Board Decision on April 21, 2021

§ 270-166. Approval standards for large-scale solar systems as special conditional uses.

- A. Large-scale solar energy systems are permitted through the issuance of a special conditional use permit within Highway Commercial, Research, Development and Technology, Riverfront Recreation/ Commercial and Airport Districts, subject to the requirements set forth in this section, including site plan approval. Applications for the installation of a large-scale solar energy system shall be reviewed by the Zoning Officer and referred, with comments, to the Planning and Zoning Commission for its review and action, which can include approval, approval on conditions, and denial.
- B. Special Conditional use permit application requirements. For a special use permit application, the site plan application is to be used as supplemented by the following provisions:
- (1) If the property of the proposed project is to be leased, legal consent among all parties, specifying the use(s) of the land for the duration of the project, including easements and other agreements, shall be submitted.
 - (2) Blueprints showing the layout of the solar energy system, signed by a professional engineer or registered architect, shall be required.
 - (3) The equipment specification sheets shall be documented and submitted for all photovoltaic panels, significant components, mounting systems, and inverters that are to be installed.
 - (4) Property operation and maintenance plan. Such plan shall describe continuing photovoltaic maintenance and property upkeep, such as mowing and trimming.
 - (5) Decommissioning plan. To ensure the proper removal of large-scale solar energy systems, a decommissioning plan shall be submitted as part of the application. Compliance with this plan shall be made a condition of the issuance of a special use permit under this section. The decommissioning plan must specify that after the large-scale solar energy system can no longer be used, it shall be removed by the applicant or any subsequent owner. The plan shall demonstrate how the removal of all infrastructure and the remediation of soil and vegetation shall be conducted to return the parcel to its original state prior to construction. The plan shall also include an expected timeline for execution. A cost estimate detailing the projected cost of executing the decommissioning

plan shall be prepared by a professional engineer or contractor retained by the Town at the sole cost and expense of the applicant. Cost estimations shall take into account inflation. Security, in an amount to cover the cost of the decommissioning plan, in a form acceptable to the Town Attorney, shall be posted by the applicant before approval can be granted. Removal of large-scale solar energy systems must be completed in accordance with the decommissioning plan. If the large-scale solar energy system is not decommissioned after being considered abandoned, the municipality may remove the system and restore the property and impose a lien on the property to cover these costs to the municipality.

C. Special-Conditional use permit standards.

- (1) Height and setback. Large-scale solar energy systems shall adhere to the height and setback requirements of the underlying zoning district.
- (2) Lot size. Large-scale solar energy systems shall be located on lots with a minimum lot size of two acres and a maximum lot size of 10 acres.
- (3) Lot coverage. A large-scale solar energy system that is ground-mounted shall not exceed lot coverage of 25% of the lot on which it is installed. The surface area covered by solar panels shall be included in total lot coverage for all other purposes.
- (4) All large-scale solar energy systems shall be enclosed by fencing, a minimum of six feet high and a maximum of eight feet high, to prevent unauthorized access. Warning signs with the owner's contact information shall be placed on the entrance and perimeter of the fencing. The type of fencing shall be determined by the Planning and Zoning Commission after considering the nature, use and visual or aesthetic impacts on adjoining properties. The fencing and the system may be required to be further screened by landscaping to avoid adverse aesthetic impacts as determined by the PZC.
- (5) Any application under this section shall meet any substantive provisions contained in local site plan requirements in the Zoning Code that, in the judgment of the Planning and Zoning Commission, are applicable to the system being proposed.
- (6) The Planning and Zoning Commission may impose conditions on its approval of any special use permit under this section in

order to enforce the standards referred to in this section or in order to discharge its obligations under the State Environmental Quality Review Act (SEQRA).¹

1. Editor's Note: See Environmental Conservation Law § 8-0101 et seq.

Sponsored by: Christopher A. Koetzle, Town Supervisor
Submitted by: Earl T. Redding, Attorney for the Town

RESOLUTION NO. 12

Moved by:
Seconded by:

WHEREAS, the Town of Glenville is proposing a Local Law (a copy of which is attached) that amends Article IX, "Sign Requirements", for the Code of the Town of Glenville; and

WHEREAS, the intent of this section is to communicate to property owners the requirements for sign installations in the Town of Glenville; and

WHEREAS, the Glenville Town Board has determined that this code amendment constitutes a "Type II Action" in accordance with 6 NYCRR Part 617.4(b)(2) of the State Environmental Quality Review Act in that it involves a clarification of an existing section of the zoning code; and

WHEREAS, New York State Town Law and the Code of the Town of Glenville, require that the Town Board hold a public hearing before a code amendment or a local law may be adopted; and

WHEREAS, the Town Board of the Town of Glenville held a public hearing with respect to the zoning code amendment and adoption of said Local Law on Wednesday, April 14, 2021 at 7:00 PM, at which time and place were heard all persons interested in the amendment of Article IX, "Sign Requirements", for the Code of the Town of Glenville,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Glenville does hereby adopt Local Law No. 8 of 2021 amending Article IX, "Sign Requirements", of the Code of the Town of Glenville; and

BE IT FURTHER RESOLVED, that this Local Law shall take effect twenty (20) days after filing with the Secretary of State of the State of New York.

Ayes:
Noes:
Absents:
Abstentions:

Motion Carried/Defeated

Town Board Decision on April 21, 2021

§ 270-66. Purpose.

- A. The purpose of this article is to create a more attractive business climate, protect property values, enhance and protect the physical appearance of the community, preserve the scenic and natural beauty of designated areas and provide a more enjoyable and pleasing community. It is further intended to reduce sign or advertising distractions and obstructions that may contribute to traffic accidents, reduce hazards that may be caused by signs overhanging or projecting over public rights-of-way and to provide more open space.
- B. Further, this article is intended to promote attractive signs which clearly present the visual message in a manner that is compatible with its surroundings. The appearance, character and quality of a community are partially affected by the location, size and appearance of its signs. Therefore, such signs should convey their messages clearly and simply to enhance their surroundings.

§ 270-67. Permits and exemptions.

Except as noted herein, no person will erect, alter or relocate any sign without first obtaining a permit from the Town Building Department. Signs not requiring a permit include the following:

- A. Residential occupant and address signs, whether freestanding or affixed to the dwelling or mailbox.
- B. Historical markers, tablets and statues, memorial signs and plaques, names of buildings, and dates of erection when cut into the building, statue, marker or sign.
- C. All traffic signs and other signs erected by governmental bodies.
- D. Signs required by law, such as motor vehicle repair registration numbers, vehicle dealership registration numbers, etc. Only the minimum number and size required by such law is exempt from a Town of Glenville sign permit.
- E. Temporary signs (as defined and used herein).

§ 270-68. General provisions and prohibitions.

No more than two external signs displaying the business name shall be allowed, subject to maximum square footage limitations prescribed for the relevant sign type, location, or zoning district.

- A. No exterior signs advertising products or businesses shall be permanently attached to the building or placed upon the premises, unless it is an allowed temporary sign.
- B. No sign will be placed in the right-of-way of any public highway or street. No signs shall be placed on any other Town property, except

for informational signs placed by the Town and such other signs as may be specifically authorized by the Town.

- C. No new off-premises advertising signs, including billboards, will be permitted.
- D. No sign will be illuminated by periphery, flashing, intermittent, rotating or moving lights except in association with LED signs, per regulations prescribed herein, or if associated with a holiday display.
- E. No sign will impair, confuse or unduly affect vehicular, bicycle or pedestrian traffic due to its design, color, placement or lighting. No ground sign will impair visibility at street corners by sign placement within 30 feet of the edge of the pavement of any intersection.
- F. No sign will be erected on any roof.
- G. Streamers, ribbons, spinners, inflatable or similar revolving or fluttering elements are not allowed.
- H. No sign will interfere with any public safety activity. Fire escapes, doorways, windows and other functional entrances or exits shall not in any way be obstructed.
- I. 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.
- J. No sign will be attached to any public utility pole.
- K. No sign or part thereof will be displayed on a vehicle parked on a public right-of-way or public property or on private property so as to be intended to be viewed from a motorized vehicular public right-of-way, which has for its basic purpose the providing of advertisement of products or directing people to a business or activity located on the same or nearby property or any other premises. This provision is not intended to prohibit any form of vehicular signage, such as a sign attached to a bus or lettered on a motor vehicle or signs that are part of a vehicle such as a construction trailer, whose primary purpose is not advertising to the public right-of-way.
- L. No sign shall contain animated or projected images, or intermittent or intense illumination of a traveling, tracing, scrolling, or sequential light type or contain or be illuminated by animated or flashing lights.

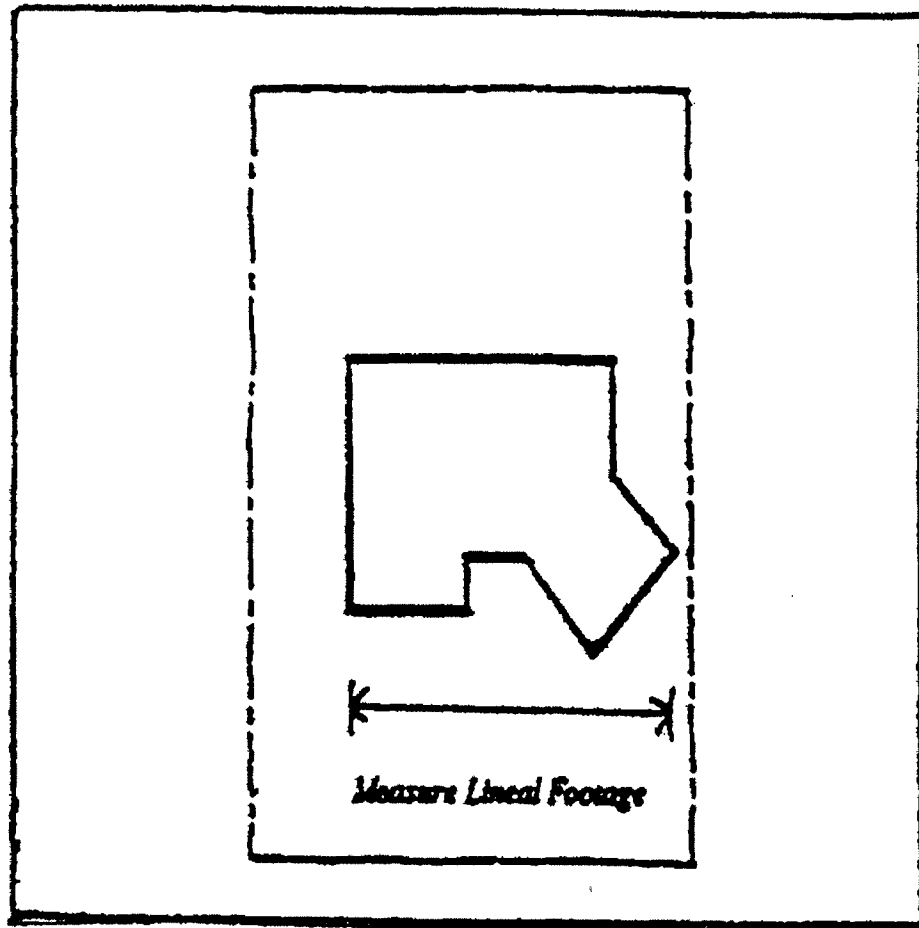
§ 270-69. Signs by zoning district/area.

- A. Rural Residential and Agricultural and Suburban Residential Districts.

- (1) Residential occupant and address signs (excluding mailboxes):
 - (a) Will not exceed two square feet in total sign display area.
 - (b) No more than one sign will be allowed per street frontage.
 - (c) May be affixed, in a permanent fashion, to the face of the dwelling, or said sign may be erected on a post not over four feet in height.
- (2) Home occupation and home-based day care signs:
 - (a) Will not exceed four square feet in total display area.
 - (b) No more than one sign will be permitted per property.
 - (c) May be affixed, in a permanent fashion, to the face of the dwelling or said sign may be erected on a post not over four feet in height, located at least 15 feet from the front property line.
 - (d) Will not be illuminated.
 - (e) Will be permitted only after a home occupation permit has been issued and, in the case of day care, only after necessary state agency permits have been issued.
- (3) Residential development identification signs (for subdivisions, apartment complexes, townhouse developments, condominium developments and planned developments):
 - (a) Will not exceed 32 square feet in total sign display area.
 - (b) No more than one sign will be permitted for each entrance to the development.
 - (c) Will be a monument/ground sign and will be located at least 15 feet from the property line.
- (4) Places of worship and other nonprofit establishment signs:
 - (a) One monument/ground sign only will be permitted at the establishment's main entrance.
 - (b) Said monument/ground sign will not exceed 32 square feet in size.
 - (c) Said monument/ground sign will be located at least 15 feet from the property line.
 - (d) If the establishment has frontage on an additional street, one additional monument/ground sign not to exceed 12 square feet will be allowed at that street's driveway.

- B. Professional/Residential District. For permitted uses other than residential, the following signs are allowed for approved uses:
- (1) A maximum of 15 square feet of total sign display area is permitted. Said sign may be a wall sign, monument/ground sign or combination of both.
 - (2) One ground sign is permitted and must be located a minimum of 15 feet from all property lines.
- C. Riverfront Recreation/Commercial, Community Business, General Business, Highway Commercial, and Research, Development and Technology Districts (except for the Glenville Business and Technology Park). **[Amended 8-21-2013 by L.L. No. 5-2013]**
- (1) Pole, monument/ground, and wall signs are permitted. Both must be located a minimum of 15 feet from the property line.
 - (2) For every lineal foot of building facing the street frontage, two square feet of display area for wall signs will be allowed for interior lots, subject to the maximum sign allowances noted in Subsection C(5) below. [For buildings that do not allow a practical measurement of lineal footage due to an odd building configuration or orientation (see Figure 5 below), the method for measuring lineal building footage will be based on a straight-line distance, parallel to the street, measured between the two widest points of the building.]
 - (3) Where a building fronts onto a second street, one additional square foot of wall sign display area for each additional lineal foot of such building frontage will be allowed, subject to the maximum sign allowances noted in Subsection C(5) below.
 - (4) The total amount of square footage for all signs on any one lot is 150 square feet.
 - (5) Individual pole signs and individual monument/ground signs cannot exceed 65 square feet, except in shopping centers, where 75 square feet is allowed.

Figure 5 - Lineal footage for odd-shaped buildings



D. Glenville Business and Technology Park.

- (1) Wall, monument/ground, and pole/pylon signs are permitted. However, monument/ground signs and pole/pylon signs will not be used in combination.
- (2) One pole/pylon sign not to exceed 75 square feet, will be permitted at the park's main entrance.
- (3) Signs directing traffic to individual businesses within the park will be allowed. For each business located within the park, two directional signs, each no greater than six square feet, will be allowed.
- (4) Two "For Sale" or "For Rent" signs will be allowed for every business or building which is up for sale and/or occupancy, and will be installed as either a wall sign or ground sign in the immediate vicinity of the available business or building. Further, each sign will be no larger than 30 square feet.

E. Shopping centers and multiple development sites.

- (1) One monument/ground or pole/pylon sign, not to exceed 75 square feet, will be permitted at the shopping center's main entrance, subject to the following condition:
 - (a) If the site has a minimum of 500 feet of frontage on another street, one additional monument/ground or pole/ pylon sign, not to exceed 75 square feet, will be allowed at the entrance/exit of that particular street.
- (2) On multiple development sites, each individual establishment will be permitted to have two signs, of any type, on the parcel, but with the maximum square footage for all signs on the parcel being limited to 150 square feet.
 - a. Two "For Sale" or "For Rent" signs will be allowed for every business or building which is up for sale and/or occupancy, and will be installed as either a wall sign or ground sign in the immediate vicinity of the available business or building. Further, each sign will be no larger than 30 square feet.
- (3) For individual stores/businesses within the shopping center, the following signs will be permitted:
 - (a) One wall sign not to exceed two square feet per lineal foot of store frontage.
 - (b) One hanging sign perpendicular to the face of the store/ business to facilitate pedestrian identification of the store/business, subject to the following:
 - [1] The sign will have a clearance of at least eight feet.
 - [2] The sign will not exceed four feet in width or 18 inches in height.

F. Town Center Overlay.

- (1) The following signs shall be permitted in the Town Center Overlay District:
 - (a) Monument (ground) signs.
 - (b) Facade signs.
 - (c) Directional signs.
 - (d) Temporary signs.
- (2) Prohibited signs. The following signs shall be prohibited in the Town Center Overlay District:
 - (a) Moving signs.

(b) LED signs.

(c) Flashing signs.

(d) Animated signs.

(e) Pole/pylon signs.

(f) Neon signs.

(3) Minimum performance criteria. The following performance standards shall apply to signs in the Town Center Overlay District:

(a) Materials.

[1] Monument signs shall be made of rigid materials, preferably wood, simulated wood, stone, brick or composites.

[2] Facade signs shall be made of rigid materials, preferably wood, simulated wood, stone, brick, or composites.

[3] Uniform materials shall be used for signs on buildings that are connected by common walls, located in a common plaza or otherwise associated as a single group.

[4] Directional signs shall be of materials compatible with facade signs.

[5] Temporary signs may be of cloth or vinyl.

(b) Height. Monument signs as permitted in Subsection I(3)(a) of this section shall be no greater than eight feet in height above the finished grade.

(c) Size. Monument signs, as permitted in Subsection I of this section, shall have a maximum area of 65 square feet per sign face for the primary sign and 24 square feet per sign face for any secondary signs. Double-faced signs are permitted. For all other signs, the size standards specified in Article IX for the underlying zoning district shall apply.

(d) Illumination. Sign lighting should minimize glare and maintain the aesthetic character of the area.

(e) Logo. In the event that a logo is displayed on a sign, it shall be incorporated into the permitted sign area and comprise not more than 30% of the sign

area. All colors associated with a logo, as defined in this chapter, may be permitted.

(f) Colors. Except as provided in Subsection I(5)(e) above, a maximum of three colors shall be utilized for a sign.

Colors shall match or complement the predominant building color.

(g) Lettering. A maximum of two lettering styles shall be permitted on signs, except that all lettering associated with a logo, as defined in this chapter, may be permitted.

(h) Setbacks. Monument signs shall have a minimum setback of 15 feet from the property line and 15 feet from the side property line and shall be located in a manner that does not interfere with required minimum sight distance at driveways or intersections.

(i) Number of signs. A maximum of one facade sign per use is permitted, except that a use fronting on two streets may have one sign for each building front. A maximum of one monument sign as described in Subsection I(3)(a) of this section is permitted per driveway up to a maximum of three signs, except that for two or more signs to be permitted, driveways must be separated by a minimum of 200 feet as measured from center line to center line.

G. Freemans Bridge District Signs.

(a) Standard. At any time that there is a new sign or modification or a replacement of an existing sign, the following standards shall apply.

1. Permitted signs.

[a] Monument (ground) signs.

[b] Pole (pylon) signs.

[c] Facade (wall) signs.

[d] Directional signs.

[e] Temporary signs.

[f] Signs required by law (i.e., automotive sales license signs, price signs for gasoline sales,

etc.).

2. Prohibited signs. The following signs are not permitted:

[a] Moving signs.

[b] Flashing signs.

[c] Animated signs.

[d] Signs with exposed neon tubing.

[e] Backlit canopies.

3. Minimum legal nonconforming LED performance criteria. The following performance standards apply:

[a] Materials. Monument signs and facade signs shall be made of rigid materials, preferably wood, simulated wood, stone, brick, or composites.

[b] Directional signs shall be constructed of materials compatible with facade signs.

[c] Temporary signs may be constructed of cloth or vinyl.

4. Height. Monument signs shall be no greater than eight feet in height above finished grade.

4.5. Size.

a. Monument signs shall have a maximum area of 65 square feet per sign face for the primary sign and 24 square feet per sign face for any secondary signs.

b. For facade signs, one square foot of sign area shall be permitted for each linear foot of building frontage. Such facade signs shall only be attached to the building facade, shall not protrude more than one foot from the building facade and shall be single-faced. Where uses are joined by a common wall, the sign area for facade signs shall not be combined into a common sign area. Under no circumstances shall any one facade sign exceed 50 square feet. Double-faced signs are permitted for all signs other than facade signs. For all other signs, the size

standards specified in Article IX shall apply.

6. Illumination. Sign lighting should minimize glare and maintain the aesthetic character of the area.
7. Logo. In the event that a picture logo is displayed on a sign, it shall be incorporated into the permitted sign area and comprise no more than 30% of the sign area. All colors associated with a logo, as defined in this chapter, may be permitted.
8. Colors. A maximum of three colors shall be utilized for a sign. Color shall match or complement the predominant building color.
9. Lettering. A maximum of two lettering styles shall be permitted on signs, except that all lettering associated with a logo, as defined in this chapter, may be permitted.
10. Setbacks. Freestanding monument signs or pylon signs shall have a minimum setback of 10 feet from the right-of-way line and 10 feet from the side property line and shall be located in a manner that does not interfere with required minimum sight distance at driveways and intersections.
11. Number of signs. A maximum of one facade sign per use is permitted, except that a use fronting on two streets or on-site roadways may have one sign for each building front. A maximum of one monument or pylon sign is permitted per driveway up to a maximum of three monument signs, pylon signs, or combination, except if two or more signs are to be permitted, driveways must be separated by a minimum of 200 feet as measured from center line to center line.

§ 270-70. Additional specifications for certain sign types.

A. Wall/facade signs.

1. The sign display area will not project more than 50% above any roof line, and no portion of the sign will project more than five feet above the roof line. § 270-70 § 270-70
2. Wall signs projecting six or more inches laterally from the structure will have a clearance of at least eight feet.
3. All portions of said sign must be not less than 10 feet from all property lines.

4. If the property has at least 500 feet of frontage on a second street, a second sign will be allowed, subject to the above regulations.
- B. Monument/ground signs.
- (1) Will not be more than eight feet in height.
 - (2) Clearance will not be more than three feet.
 - (3) All portions of said signs will be no closer than 10 feet to any property line.
 - (4) One sign per property will be allowed and will not exceed 65 square feet in total sign display area.
- C. Pole/pylon signs.
- (1) One such sign will be permitted per property. The maximum allowable sign area for pole/pylon signs varies depending on the zoning district or area, but not to exceed 75 square feet in any instance.
 - (2) If the property has at least 500 feet of frontage on a second street, a second pole/pylon sign will be allowed, subject to the regulations below.
 - (3) Will not be more than 25 feet in height.
 - (4) A clearance of not less than 10 feet will be maintained.
 - (5) All portions of said sign will be not less than 10 feet from all property lines. If property lines should change, said signs will be brought into conformance with setback regulations within 30 days.
- D. LED signs. New LED signs are not permitted in any district. Legal nonconforming LED signs are subject to the following:
- (1) The static display time of each changeable message or image shall be a minimum of 20 seconds.
 - (2) The maximum length of time between change of messages or images shall be two seconds.
 - (3) The change of message or image shall occur simultaneously for the entire sign face.
 - (4) During daylight hours, the maximum illumination shall be 5,000 nits (or candelas per square meter), with a maximum illumination of 500 nits between dusk and dawn, as measured from the sign's face at maximum brightness.

§ 270-71. Temporary signs.

A. General regulations.

- (1) The following temporary signs do not require a permit from the Town Building Department:
 - a. A-Frames placed within the property line during daylight hours and taken indoors each night;
 - b. Window signs, posters or banners posted indoors facing out;
 - c. Banners for grand openings sized a maximum of 3'X5'; and
 - d. H-Frame signs on the private property occupied by the business.
- (2) In no case will a temporary sign exceed 20 square feet in size.
- (3) Temporary signs will not be attached to fences, trees, utility poles, street signs, rocks or other parts of the natural landscape.
- (4) Temporary signs (with the exception of holiday decorations) will not be illuminated.
- (5) Temporary signs will not be placed in a position which obstructs or impairs traffic, or in any manner that creates a hazard or disturbance to the health, safety and welfare of the public.
- (6) Temporary signs are subject to the provisions of § 270-68 of this chapter.

B. Regulations for specific uses.

- (1) "Grand Opening"/"Coming Soon"/"Anticipated Occupancy" signs:
 - (a) Will not exceed 20 square feet in size.
 - (b) Will not be operative for more than 45 days prior to the opening, or five days after the opening or completion of construction.
 - (c) Will be located at least 10 feet from the edge of the pavement.
- (2) Sandwich board/sidewalk signs:
 - (a) Will not exceed six square feet.

- (b) Must be portable and removed at the close of business each day.
 - (c) Must be located between the facade of the building/business to which it belongs and the street or parkinglot. However, the sign shall be set back at least 10 feet from the edge of pavement of any public street or highway.
 - (d) Shall be placed so as to not impede, restrict, or otherwise interfere with pedestrian or vehicular traffic.
- (3) Roadside agricultural/farm stand signs:
- (a) Will not exceed 12 square feet in size.
 - (b) Will not be operative for more than five days prior to the opening seasonal date of the business or longer than five days after the closing seasonal date of the business.
 - (c) Will be located at least 10 feet from the edge of the pavement.
- (4) "Contractor's" signs.
- (a) Residential properties.
 - [1] Only one such sign will be permitted per property.
 - [2] Will be permitted only during the construction period. Upon completion of construction, the sign is to be immediately removed.
 - [3] Will not exceed 12 square feet in size.
 - [4] Will be located at least 10 feet from the edge of the pavement.
 - (b) Nonresidential properties.
 - [1] Only one such sign will be permitted per property.
 - [2] Will not exceed 20 square feet in size.
 - [3] Will be removed within five days of completion of the project.
 - [4] Will be located at least 10 feet from the edge of the pavement.
 - [5] Will not be in place on any one property for a period which exceeds two years; whether it is for a consecutive two-year period or intermittently for two years.

- (5) Political/campaign signs:
 - (a) Will not exceed 16 square feet in size.
 - (b) Will not be operative for more than 60 days prior to the election, or five days after the election.
 - (c) Will be located no closer than five feet to the edge of the pavement.
- (6) "For Sale"/"For Rent" signs:
 - (a) Will not exceed 12 square feet in size (except in residential zoning districts, where said signs will be limited to six square feet in size).
 - (b) Will be removed within three days after the premises/structure has been sold or rented.
 - (c) Will be located at least 10 feet from the edge of the pavement.
 - (d) Will contain the name, address or phone number of the owner or agent.
 - (e) Must be located on the same property as the advertised building/space.
- (7) Civic, religious, educational or nonprofit organization signs:
 - (a) Will not exceed six square feet in size.
 - (b) Will not be on display for more than 45 days.
 - (c) Will not be on display for more than 90 days in any twelve-month period.
 - (d) Will be located no closer than five feet from the edge of the pavement of any public street or highway.
 - (e) Will only be located on properties with the consent of the owner.
- (8) Garage sale signs:
 - (a) Will not exceed six square feet in size.
 - (b) Will be removed within 24 hours of the close of the garage sale.

§ 270-72. Nonconforming signs.

- A. Any sign legally in existence as of the date of the adoption of the local law amending this article¹ which does not fully comply with

the provisions of this article, as amended, shall be considered a nonconforming sign and may be continued and maintained.

- B. Nonconforming signs will not be enlarged or replaced by another nonconforming sign. Should the maintenance, repair or alteration of a nonconforming sign cost more than 50% of the original cost of the sign, the sign will be considered a new sign and shall be required to conform to all the provisions of this article, unless such nonconforming sign was damaged or destroyed through no act, failure to act or responsibility of the owner. In the case of damage or destruction of the nonconforming sign by a severe weather incident, motor vehicle accident or other incident beyond the control of the owner, it may be replaced by a substantially similar sign, even if the cost exceeds the cost of the original.

Sponsored by: James M. Martin, Town Councilman
Submitted by: Melissa Cherubino, Director of Community Development

RESOLUTION NO. 13

Moved by:
Seconded by:

WHEREAS the Town of Glenville applied for and was awarded NYSDEC Urban Forestry grant funds to inventory the remaining tree stock in the suburban areas and develop a management plan; and

WHEREAS the town Economic Development and Planning Office issued a Request for Proposals (RFP) for the project which resulted in a response from five consultants; and

WHEREAS a committee of interdepartmental town hall staff and members of the tree board reviewed the RFP responses using a rating sheet and the scoring was aggregated to determine best value for the project; and

WHEREAS Davey Resource was the best value low bidder at \$21,310 for the project as well as public meetings based on the committee's review;

NOW, THEREFORE, BE IT RESOLVED THAT, the Glenville Town Board authorizes the Supervisor to sign a contract for forestry services with Davey Resource Group concerning the continuation of the town's tree inventory and development of a management plan.

This resolution will take effect immediately.

Ayes:
Noes:
Absent:
Abstention:

Motion Carried/Defeated

Town Board decision on April 21, 2021

Sponsored by: Michael R. Godlewski, Town Councilman
Submitted by: Linda C. Neals, Town Clerk

RESOLUTION NO. 14

Moved by:
Seconded by:

BE IT RESOLVED, that the minutes of regular Town Board meeting held on April 7, 2021 are hereby approved and accepted as entered.

Ayes:
Noes:
Absent:
Abstentions:

Motion Carried/Defeated

Town Board decision on April 21, 2021

Sponsored by: Michael R. Godlewski, Town Councilman
Submitted by: Linda C. Neals, Town Clerk

RESOLUTION NO. 15

Moved by:
Seconded by:

BE IT RESOLVED, that the minutes of regular Town Board meeting held on April 7, 2021 are hereby approved and accepted as entered.

Ayes:
Noes:
Absent:
Abstentions:

Motion Carried/Defeated

Town Board decision on April 21, 2021

Sponsored by: Christopher A. Koetzle, Town Supervisor
Submitted by: Earl T. Redding, Attorney

RESOLUTION NO. 17

Moved by:
Seconded by:

BE IT RESOLVED, that the Town Board of the Town of Glenville hereby adjourns into Executive Session to discuss a personnel matter.

Ayes:
Noes:
Absent:
Abstention:

Motion Carried/Defeated

Town Board decision on April 21, 2021