Minutes for the Ticonderoga Planning Board held on May 5th, 2016 commencing at 7:00 p.m. in the Community Building

Present: Chairman Stu Baker, Doug McTyier, Scott Manning, Ben Leerkes, Don Meserve, Walt Lender, Tonya M. Thompson, Town Clerk

Others: Code Enforcement - Bill Ball and Danielle Drinkwine-Holman and representatives from the Lake George Steamboat Company (These Gentlemen believed they were on the agenda - discussion was held on getting them on the next months agenda).

Mr. Baker opened the meeting with the Pledge of Allegiance.

Mr. Baker noted that he found one correction on last months meeting minutes, last page, second paragraph where he is being quoted as saying 'do a post read' it should say 'do a close read'.

Approval of Minutes

Resolution #10-2016 brought by Ben Leerkes, seconded by Doug McTyier to approve the Minutes from April 7, 2016 as amended (last page, second paragraph - change 'post' to 'close') **6 - Aye, 0 - Nays. Carried.**

Stormwater Management Plan

(The following is recommendation from Mike Powers, Planning Board member who could not be present for the meeting tonight)

I feel that the stormwater code on page 9 of the Plan should be incorporated into our current zoning and/or site plan review laws, with the only changes being to conform with the format we use in whichever document we recommend amending. I find that the majority of the rest of the document, however, isn't feasible for the Town to undertake. The suggested road 'bump outs', for example, might work great in Miami, Charlotte, Houston, or any other community that doesn't have to deal with large amounts of snow removal in the winter. They pose a hazard to snow plowing equipment and personnel.

Mr. Lender believes that there are some great recommendations in this plan for projects around Town and different things that we should be doing in our neighborhoods. However, we cannot do all of these things they are not all feasible, but the should be looked at as a case by case basis. Where we can incorporate some of those we should. That being said he feels that there is opportunity for us to use the draft stormwater regulations that were part of the 2011 proposed Zoning changes. He would say there is a lot of merit in taking that part out of the 2011 Zoning changes with the recommendations from that committee and put them into our current Zoning regulations to replace whatever stormwater regulations that we have in there.

Mr. Baker actually agrees with this. He would like to see the Town Board adopt these as well.

Mr. Lender did not do a line by line read from the Stormwater management plan to compare it to the Zoning draft from 2011. So if the revisions and language from the draft law could be worked into this Stormwater management plan, those would be the recommendations for the Town Board to pass.

Mr. Manning agrees with what Mr. Powers noted. Page 9 and 10 is what we are looking at. A lot of the other stuff at this point in time is really not feasible, the bump outs and all that stuff. It is a good thought process, but where is the money to do this?

Mr. Lender noted that this will be used as the guiding document in future projects. There are grants out there that will help pay for these things. There is another round of state funding coming up in July. We could package together a few of these identified projects and start working away at them bit by bit. He does not know that this is the right way to go, he is not sure that they want to adopt this whole Stormwater management plan.

Mr. Baker mentioned that we are just looking at the language in pages 9 and 10, once we confirm that this matches what the Zoning Committee's final recommendation was, pages 9 and 10 are what should be codified. He thinks that if the Town Board wants to pursue some of the other projects that are in here aside from the Code change, obviously they will need to apply for grant funding and they are likely going to need to adopt this as a policy for that.

Mr. McTyier asked why was the Zoning totally rejected?

Mr. Baker stated the short answer was politics.

Mr. Meserve added that is was over 300 pages long.

Mr. Baker explained that this was to be a whole repeal and replace of the current zoning code and it never even made it to a public hearing. There was a group that arrived at a particular Town Board meeting and they basically asked the Town Board then and there to drop the entire draft code for further consideration and the Town Board did.

Mr. McTyier noted that reading through this (Stormwater Management Plan) there sounds as though there are already significant problems. A lot of extra water going into our system. As he read through it he was putting marks next to things and then he got to the very last paragraph on page 10. "For development or redevelopment occurring on a previously developed site from which storm water is entering the town's sewer system, the applicant shall be required to control existing and any additional new stormwater discharges on-site" what he is looking at is if someone has a piece of property that they want to do something with and it already has serious issues, how difficult is it going to be to have them correct what has been there for years.

Mr. Baker agreed that it is going to very, from site to site.

Mr. McTyier believes that he has heard the phrase that on a developed sit you can't have any more storm water going off than there was before.

Mr. Baker stated that this is correct.

Mr. Leerkes brought up the issue with the Lowes property that is discussed in the plan. The engineer is stating that it was not a good plan to begin with, it didn't solve any of the issues. We didn't make it any worse than it was....

Mr. Lender stated that this is to improve if given an opportunity...

Mr. Baker believes that there is merit to going forward with improvements. Improvements of existing problems would come into play when an application comes before this board.

Mr. Leerkes would like to discuss an issue. The State just re-paved Wicker Street and this plan calls for improvements on a lot of it. If this plan would have been in effect the State would have taken this into account. They went ahead and did it and last year he had heard that the Sewer Department had plans to fix some problems on Wicker Street this year, but if there was a plan in effect he is sure the State Engineer would have taken this into account. They wouldn't re-do a road if it needed major improvement underneath it.

Mr. Baker noted that the State is aware of the stormwater problems on Wicker Street. He had DOT officials tell him as much, but they were only able to allocate funds for the mill and fill re-paving.

Mr. Leerkes noted that if there was a plan in existence that this things need to be fixed if you are going to do anything, he believes the state would take that into account and they wouldn't do it.

Mr. Baker added that the stormwater infrastructure on Wicker Street isn't even the Town's it is the States, so it is their obligation. One thing in this proposed Code language on Page 8 - "if the Land Use and Development Code is not going to be accepted in the near future, then the proposed stormwater standards should be incorporated into the current Site Plan Review Law and enforced. There are a number of projects that happen in Town that don't require Site Plan Review as well and it is his opinion that they should probably be held to these standards as well and that could be done administratively, but that needs to be codified locally somehow, which means that this would have to apply not just for site plan review, this would have to apply for projects that only require building permits. If there is site work involved and there is an opportunity to avoid stormwater problems or correct existing problems, we don't want to miss that opportunity just because the project doesn't require site plan review. Is everyone in agreement that this language, once we confirm that it includes the final comments that the Zoning Committee had should be adopted by the Town?

The board collectively agreed.

Mr. Meserve added that this plan is important for setting the perimeters. A lot of stuff that is in this document is actually stuff that is dealing with many of these streets and not private property. So whenever the Town says we are going to re-do this road, they are going to go back to this and see that it says maybe we should do this first, but maybe it would be too much and they may..... This is just for basic perimeters. This should be adopted by the Highway Department and the Sewer Department, they are the ones involved when the project comes up. They don't come to us when they pave a street.

Mr. Baker agreed that this will be adopted by the Town Board, they are the legislative body, Highway can't do anything about this. That is the bottom line. It certainly should get their review. Amongst his scribbles he wondered how much review it has had from the water/sewer super as well as the highway super. If certainly if they haven't read this, they should.

Mr. Meserve asked how do go about making it noticed by everybody that should be reviewing it? They should be working together on this when they do a road, figure out what needs to be done before the paving. There needs to be a priority list. He is sure there are roads that are being planned for re-surfacing are they going to review the infrastructure before laying down pavement.

Mr. Baker agrees that this points to the need to do longer term capital planning, if the Highway Department knows that they want to re-do Lake George Avenue and this calls for stormwater improvements and more, there needs to be a long-term plan, especially for the grants or low interest loans of what ever those financing options that need to be pursued to do such a long term plan. This doesn't really go to that extent. It doesn't lay out a real schedule. In fact, one thing he did notice as a short point it lists out priority projects divided into two general categories, North of the LaChute River and South of the LaChute River, but it only calls out a few of the specific projects where throughout the document there is a ton of other recommended projects in here and he thinks they all need to be listed out exsplitively. He does not know if AES considers this a draft document, but he feels that all the recommendations in here need to be weighed out, or certainly listed by priority other wise some of the smaller recommendations in here he thinks will get easily lost. It is a lot easier to keep track of something where you have all the recommended tasks on one or two pages.

The board discussed different issues around the Town, such as re-paving a road and then tearing it back up for an infrastructure problem. They discussed daylighting storm water. (The Town Clerk's Office has this plan for viewing).

Mr. Meserve made note that these problems are not unique to Ticonderoga, every town that has WasteWater Treatment plants are having these same issues. Hopefully, there are monies available that can be used by the Town to help with these issues.

Minutes for the Ticonderoga Planning Board held on May 5th, 2016 commencing at 7:00 p.m. in the Community Building

Resolution #11-2016 brought by Walt Lender, seconded by Scott Manning to
#1 - Recommend to the Town Board to adopt the Stormwater Code language currently in the Stormwater Management Plan and to add that review not necessarily be limited to just Site Plan but also be applicable to permits. (The board would also like to confirm that the Stormwater Management Plan includes the Zoning Committee recommendations for the proposed 2011 Zoning Law - see below)
#2 - Make Note that the Planning Board generally supports the concept of this plan and
#3 - Make Not that this plan really points out the need for
a. Long-Term Capital Improvement Plans by the Town
b. Increased coordination in Capital Projects between Town Departments.
6 - Aye, 0 - Nays. Carried.

Stormwater Management and Erosion Control

Findings. The Town of Ticonderoga finds that uncontrolled drainage and runoff associated with land development has a significant impact upon the health, safety and welfare of the community for the following reasons:

Stormwater can carry pollutants into receiving water bodies and degrade water quality.

The increase in nutrients in stormwater runoff accelerates eutrophication of receiving waters.

Improper design and construction of drainage facilities can increase the velocity of runoff thereby increasing stream bank erosion and sedimentation.

Construction requiring land clearing and the alteration of natural topography tends to increase erosion.

Siltation of water bodies resulting from increased erosion decreases the capacity of the water bodies to hold and transport water, interferes with navigation, and harms flora and fauna.

Impervious surfaces increase the volume and rate of stormwater runoff and allow less water to percolate into the soil, thereby decreasing groundwater recharge and stream base flow.

Improperly managed stormwater runoff can increase the incidence of flooding and the level of floods that occur, endangering life and property.

Substantial economic losses can result from these adverse impacts on the town's waters.

Purpose. The purpose of this section is to protect and safeguard public health, safety, and welfare by preserving and protecting the quality of the town's ground and surface waters. It

is the objective of this section to:

Prevent any increase in stormwater runoff from any development in order to reduce flooding, siltation and stream bank erosion;

Prevent any increase in pollution caused by stormwater runoff from development which would otherwise degrade water quality and render it unfit for human consumption, interfere with water based recreation or adversely affect aquatic life; and

Ensure that the total annual volume of surface water runoff flowing from any specific site during and following development shall not exceed that which prevailed before development.

Applicability. The provisions of this section shall apply to all development within the Town of Ticonderoga, except as specifically exempted in *Paragraph 4 below. Specifically, review and approval under the provisions of this section shall be required before:

The subdivision of land.

The building, constructing, erecting, expanding or enlarging of any structure.

The placement or construction of any impervious surface such as asphalt, pavement, blacktop, macadam, concrete, stone, packed earth, gravel or crushed stone.

The clearing of, grading of, removing of vegetative cover or soil from, and/or the overlaying of natural vegetative cover with soil or other materials on more than 5,000 square feet of land.

The building, altering or modifying a stormwater control measure other than the ordinary maintenance, cleaning and/or repair of stormwater control measures

Exempt Activities. The following activities are exempt from the provisions of this section:

Any silvicultural or agricultural activity that is consistent with a soil conservation plan approved by the Essex County Soil and Water Conservation District or a timber management plan prepared or approved by the state Department of Environmental Conservation, as applicable.

Development that involves disturbance and/or clearing of less than 5,000 square feet of land and that does not result in the creation of more than 1,000 square feet of new impervious surface.

Customary use and operation of a cemetery.

Non-commercial gardening activities accessory to a residential use.

Landscaping and horticultural activities in conjunction with a lawfully existing use or structure.

Construction of an approved wastewater treatment system and construction of a wharf, dock, boathouse and/or mooring.

Installation of fence, sign utility pole or other kinds of posts or poles.

Emergency activity immediately necessary to protect life, property or natural resources.

Routine maintenance activities that disturb less than 5 acres of land, which are performed to maintain the original grade, hydraulic capacity and purpose of a facility or site. This shall include the ordinary maintenance, cleaning and/or repair of stormwater control measures.

Prohibited Conditions. The following are specifically prohibited:

A condition, which due to a human disturbance of land, vegetative cover, or soil, results in the erosion of soil into any water body.

A condition of flooding, erosion, siltation or ponding resulting from failure to maintain previously approved stormwater control measures where such condition is injurious to public health, welfare or safety.

Classification of Projection. Development activities shall be classified for the purposes of review and approval under this section as follows:

Minor Projects. The following shall be considered to be minor projects:

Any building, land clearing or development activity affecting less than 15,000 square feet.

Subdivision of up to 3 new residential lots, which may result in the construction of no more than 1 single-family dwelling and related accessory structures per lot, and will require land clearing or alteration activities of less than 15,000 square feet per lot, and less than 15,000 square feet total for any new road or driveway needed to serve the homes.

Any building, alteration or modification of a stormwater control measure, excluding ordinary maintenance, cleaning or repair of a stormwater control measure.

Major Projects. Any project not expressly exempted from review and approval under this section or defined as a minor project above shall be classified as a major project. Any minor project may be treated as a major project if such treatment is deemed necessary due to specific site limitations or constraints, anticipated environmental impacts, or the need for additional public notice and comment. When determining whether to treat a

minor project as a major project, the criteria to be considered shall include, but shall not be limited to, whether:

Any part of the project will occur (i) on soils of high potential for overland or through-soil pollutant transport; (ii) in an area with an average slope of 15% or greater as measured over any 100-foot section; or (iii) on soils with a percolation rate slower than 60 minutes per inch.

The site lies within or substantially contiguous to a (i) a Critical Environmental Area established pursuant to SEQR; (ii) a wetland; (iii) a stream corridor; (iv) an area of significant habitat for any wildlife or plant species; or (v) an area of particular scenic, historic or natural significance.

General Standards. The following requirements shall apply to both minor and major projects:

Stormwater shall be managed on-site using stormwater control measures designed to afford optimum protection of ground and surface waters. All water from newly created impervious areas that would otherwise run off the parcel shall be directed to an infiltration device. Location of the infiltration devices shall be determined based upon soil test results.

Stormwater control measures shall be designed so that there will be no increase in runoff volume from a 10-year frequency/24-hour duration storm event following development over the pre-development volume.

Stormwater control measures shall include such other measures as are deemed necessary to prevent any increase in pollution caused by stormwater runoff from development which would otherwise degrade the quality of the receiving waters, render it unfit for human consumption, interfere with water-based recreation or adversely affect aquatic life.

Emergency overflow provisions shall be made as necessary to prevent erosion, flooding, and damage to structures, roads and stormwater control measures.

Stormwater control measures shall be designed to minimize adverse impacts to water bodies, minimize disturbance of water bodies, minimize land clearing, minimize the creation of impervious surfaces, and to maximize preservation of natural vegetation and existing contours.

Applicants for development that involves the creation of areas subject to intensive landscape maintenance (such as golf courses, public parks and botanical gardens) shall prepare and submit a professionally prepared pest control and fertilizer management plan with the permit application.

Stormwater control measures shall be used in the following order of preference: infiltration devices; artificial wetlands and acceptable natural treatment systems; flow attenuation by use of

open vegetated swales and depressions; stormwater detention. Stormwater control measures shall be selected by giving preference to the best management practice for pollutant removal and flow attenuation as indicated in *Schedule C. Use of pervious paving materials shall be avoided in areas of frequent vehicle use or where surfaces will be treated for winter travel (e.g. sanded, salted, etc.).

Stormwater control measures visible from public vantage points shall be designed to contribute positively to the visual character of the site and to be an element of the site's planned open space. Designs appearing to consist of primarily of natural materials are preferred to those appearing to consist of primarily engineered structures. Designs that require installation of security fencing shall be avoided when visible from public vantage points. If fencing cannot be avoided, it shall be screened with naturalistic landscaping in accordance with Section * of this code.

Discharges of stormwater into the Town of Ticonderoga sanitary sewer system shall be prohibited. For development or redevelopment occurring on a previously developed site from which stormwater is entering the town's sewer system, the applicant shall be required to control existing and any additional new stormwater discharges on-site in accordance with the standards of this section to the maximum extent practicable.

Standards for Minor Projects. The following requirements shall apply to minor projects:

Stormwater control measures shall be selected by giving preference to the best management practices for pollutant removal and flow attenuation as specified in *Schedule C. Stormwater may be calculated in accordance with the methodology for determining stormwater volume and flow rates for major projects found in *Paragraph 16 of this section or, in the alternative, at a flat rate of 1.5 gallons of stormwater for every 1 square foot net increase in impervious area. Net increase is the difference between pre-development and post-development conditions.

Stormwater control measures may include, but shall not be limited to, drywells of pre-cast concrete, pits of crushed rock lined with geo-textile fabric, and infiltration trenches. Such measures may also include natural and human made landscape features such as depressions, blind ditches, retention ponds, swales and others. Inlets to infiltration devices shall be protected from sediment at all times in order to maintain their capacity.

Infiltration devices shall not be installed up gradient within 20 feet of the subsurface components of a wastewater treatment system. Infiltration devices for roadways, parking lots, and other areas subject to vehicle traffic shall not be installed within 100 feet of any water well, wetland or water body.

Infiltration devices and buildings shall be designed to maintain maximum attainable horizontal distance separation from wells, water bodies and wetlands. Pumping stormwater shall not be permitted.

The bottom of any infiltration device shall be a minimum of 2 feet above seasonal high ground water mark and 2 feet above bedrock.

Temporary erosion controls shall be required to prevent siltation of water bodies during construction.

Stormwater control measures proposed to be installed at locations with an average slope greater than 15% (as measured over any 100-foot section) before grading, soil percolation rate slower than 60 minutes per inch or that require placement of fill to meet horizontal distance separations specified in this section shall be designed by a licensed professional engineer, architect or exempt land surveyor.

Standards for Major Projects. The following requirements shall apply to major projects:

Stormwater volumes and rates of flow shall be calculated using the methods specified in *Paragraph 16 of this section.

For storm events exceeding the 10-year design storm, the stormwater control measures shall function to attenuate peak runoff flow rates for a 25--year frequency storm to be equal to or less than pre-development flow rates. Consistent with New York State Guidelines for development greater than 5 acres, stormwater control measures shall function to attenuate peak runoff flow rates for a 100-year storm to be equal to or less than pre-development flow rates. Attenuation of the 100-year storm is intended to reduce the rate of runoff from development to prevent expansion of the 100-year floodplain and increased flood hazards. The minimum requirement for peak flow attenuation may be waived for the 100-year storm event where the applicant can demonstrate that downstream flooding is not a concern. The cumulative effect of all proposed development projects within the watershed should be considered in making this determination. Rainfall intensity curves for *Lake George, New York shall be used in the design of the stormwater control measures. *These curves are annexed to this Ordinance as Schedule D entitled Rainfall Intensity Curves.

Infiltration devices shall be designed such that the bottom of the system will be a minimum of 2 feet above the seasonal high groundwater level to be realized following development. Where compliance with this requirement would prevent compliance with Paragraph 8.7 of this section, compliance with this requirement may be waived. This provision shall not apply to wet ponds and similar stormwater control measures that are designed to be built

in the saturated soil zone.

Infiltration devices for major projects shall be located a minimum of 100 feet from any down-gradient lake, pond, river, mapped stream, wetland, drinking water supply or water well. A separation of more than 100 feet may be required in cases where contamination of the water supply is possible due to highly permeable soils, shallow groundwater and similar situations. The separation distance shall be a minimum of 50 feet from up-gradient water supplies. Designs shall mitigate adverse effects that groundwater recharge will have on adjacent wells, water supplies, wastewater treatment systems, buildings, roadways, properties, and stormwater control measures. Stormwater recharge areas shall be located a minimum of 100 feet from the subsurface components of a wastewater treatment system unless it is demonstrated that a lesser separation will not adversely affect the functioning of the system.

Infiltration devices shall be designed to extend a minimum of 10 percent of the infiltration surface area below the prevailing frost depth or 4 feet, whichever is greater, in order to provide infiltration during winter months.

Infiltration devices shall be designed based on the infiltration capacity of the soils present at the project site. Soil evaluation methods shall be in accordance with *Paragraph 16 of this section.

All stormwater control measures shall be designed to completely drain to return to design levels in accordance with the following: infiltration basin 5 days; infiltration trench 15 days; dry well 15 days; porous pavement 2 days; vegetation depression 1 day.

Pretreatment devices such as sediment traps, detention/stilling basins, filter strips, grassy swales, or oil/water separators shall be provided for runoff from paved areas or other areas subject to human-induced pollution including grease and oils, fertilizers, chemicals, road salt, sediments, organic materials and settleable solids, which shall be sufficient to remove pollutants from the runoff.

Stormwater control measures shall, at a minimum, incorporate the best available pollutant removal technology, which shall mean that which constitutes appropriate and cost effective means for removing pollutants from runoff so that the resulting treated stormwater will not degrade the water quality of any water body.

Stormwater control measures shall be designed to preserve and maintain the base flow in all streams passing through, adjoining or receiving runoff from the site.

For development or redevelopment occurring on a site where development has previously occurred, the applicant shall be required to prepare concept plans and to develop construction

estimates for stormwater control measures to control existing stormwater discharges from the site in accordance with the standards of this section to the maximum extent practicable. At a minimum, the control measures shall include those reasonable and necessary to infiltrate the runoff from the first 0.5-inches of precipitation from any storm event for all areas within the site that have been previously developed. The phased implementation of such stormwater control measures for previously developed areas may be allowed.

Standards for Erosion Control. Compliance with the following shall be required for both minor and major projects:

Temporary erosion control shall be provided for all disturbed areas in accordance with the New York State Erosion Control Manual.

The temporary erosion control measures shall be maintained continuously until permanent control measures are in service. Infiltration devices shall be protected from siltation during the period of construction and until the site is successfully re-vegetated by use of silt screens, inlet protection devices, sediment detention ponds or other suitable erosion control measures.

Staging of construction to facilitate erosion control shall be required. Only those areas where construction is actively occurring shall remain open and un-vegetated. All areas that are not within an active construction area shall be mulched and stabilized or shall be mulched and re-vegetated. An active construction area is defined as one that has seen substantial construction within the past 7 calendar days. Mulching or re-vegetation for erosion control shall be completed within 10 days following the last substantial construction activity.

No vegetation shall be felled into any lake, pond, river, stream or intermittent stream and if inadvertently felled into one of these water bodies, shall be removed immediately from the water body. The removal of dead, or dying, diseased trees or trees presenting a health or safety hazard shall not be exempt from this requirement.

Within 500 feet of the mean high water mark of any lake, pond, river, stream, or wetland, no land area, including areas stockpiled with earthen materials, which has been cleared may be made or left devoid of growing vegetation for more than 24 hours without a protective covering securely placed over the entire area and/or erosion control measures properly installed to prevent sediment from entering the water body. Acceptable protective coverings include natural mulch of a depth of two inches, rock rip-rap, non-degradable materials such as plastic or canvas coverings, and impervious structures.

Any area of land from which the natural vegetative cover has been either partially or wholly cleared or removed by development

activities shall be re-vegetated within 10 days from the substantial completion of such clearing and construction. Acceptable re-vegetation shall consist of the following:

Reseeding with an annual or perennial cover crop accompanied by placement of straw mulch or its equivalent of sufficient coverage, but not less than 50 percent of the total disturbed area, to control erosion until such time as the cover crop is established over 90 percent of the seeded area.

Replanting with native woody and herbaceous vegetation accompanied by placement of straw mulch or its equivalent of sufficient coverage to control erosion until the plantings are established and are capable of controlling erosion.

Any area of re-vegetation must exhibit survival of a minimum of 75% of the cover crop throughout the year immediately following re-vegetation. Re-vegetation must be repeated in successive years until the minimum 75% survival for 1 year is achieved.

Ground clearing or grading activities which occur during the period October 15 to April 15, during which germination of vegetation typically will not take place, shall be required to incorporate extra measures during re-vegetation in order to reduce erosion and maintain water quality. These extra measures include, but are not limited to, the use of screen mesh, netting, extra mulch and siltation fences.

Maintenance of Stormwater Control Facilities. Approval under this section shall include, at a minimum, provisions for the future maintenance of the site, consistent with the following:

Applicability. Before issuance of a *certificate of completion for any major project, or any minor project where it is deemed necessary, the applicant shall arrange for the future maintenance of stormwater control measures subject to the approval of the town. This may include, but not be limited to, the following: approval of the by-laws and/or certificate of incorporation of a transportation corporation or homeowners association; posting of a performance bond or surety; placing of funds on deposit; and/or a stormwater management maintenance agreement between the owner(s) of the site and the town consistent with the terms and conditions of *Schedule E. An easement to allow town personnel or contractors access for maintenance may be required.

Purpose. Stormwater management maintenance arrangements shall be those necessary to ensure that stormwater control measures are maintained in working condition throughout the life of the project.

Notice. The stormwater management maintenance agreement shall be recorded in the office of the County Clerk or its terms shall be incorporated into covenants appearing in the deed, declarations of covenants and restrictions or other such documents to ensure that record notice of its terms is provided to

future owners of the site. It shall also be included in the offering plan, if any, for the project.

Initial Maintenance Security. The project owner(s) or sponsor shall establish a maintenance security in the form of a bond, letter of credit, escrow account, or other acceptable security, for the purpose of rebuilding, maintaining or repairing the stormwater control facilities during the first 2 years following the approved completion of construction.

Review of Minor Projects. The *Code Enforcement Officer shall have primary responsibility for the review, approval and issuance of stormwater management permits for minor projects. The *Code Enforcement Officer may require a test pit before issuing a permit and may require notice to adjacent landowners. Prior to the issuance of a permit for any project, the *Code Enforcement Officer shall determine that the project as proposed is in accordance with the standards of this section.

Review of Major Projects. Major projects shall require site plan | 06. review in accordance with Section * of this code and the following:

Preparation of a Stormwater Control Report in accordance with *Paragraph 16 of this section shall be required. Preparation of a Stormwater Concept Plan in accordance *Paragraph 16 of this section may be required if deemed necessary by the Planning Board. The report and/or plan shall be prepared by an engineer, architect or exempt land surveyor licensed to practice under the laws of the State of New York, who shall be employed by the applicant to design and supervise the installation of all stormwater management facilities. Stormwater management shall be within the area of expertise of the particular individual or firm performing the design and construction supervision, and if requested, that individual or firm shall furnish a listing and description of all stormwater management projects designed or supervised by them within the past 5 years.

Final subdivision plats shall contain stormwater control measures for all commonly owned roads, buildings, parking areas and impervious areas. Approved stormwater design plans shall be filed together with the final plat with the County Clerk.

Prior to the approval of the final plat or commonly owned facilities, it shall be first determined that there is sufficient information to support a finding that the stormwater measures subject to future approval can be designed and constructed in accordance with this section.

Review Criteria. In addition to all other applicable provisions of this code, no stormwater management plan shall be approved unless the town makes the following findings, which shall be

supported by substantial evidence. The facts supporting such findings shall be set forth in the decision document or permit. The issued permits shall set forth all required conditions and incorporate all necessary documents and maps. The findings are as follows:

That the project meets the design requirements and performance standards set forth in this section.

That the project will not have an undue adverse impact on public health, safety or welfare, and will not lead to a diminution of water quality, an increase in erosion, or an increase in stormwater runoff from the site either during or following construction.

That the stormwater control measures proposed for the proposed project will function as designed and that such measures represent the best possible methods and procedures for controlling stormwater runoff that is feasible and practicable at the particular project site.

That adequate and sufficient measures have been taken to ensure accountability and responsibility over the life of the project should the stormwater control measures not function as intended, fail, or suffer from inadequate maintenance to ensure its proper functioning. The municipality may require formation of a homeowner's association registered pursuant to Section 352-E of the New York State General Business Law and execution of a maintenance agreement consistent with *Schedule E.

That the proposed project will not contribute to flooding, siltation or stream bank erosion and will not result in any increase, directly or indirectly, in pollution to the town's waters from stormwater runoff.

Definitions. The terms listed below shall have the stated meanings within the context of this section of the code. All other terms shall be as defined in Article *5 of this code.

Base Flow. The stream discharge from groundwater runoff.

Blind Drain. A drain consisting of an excavated trench refilled with pervious materials, such as coarse sand gravel or crushed stone through which water percolates and flows toward an outlet, often referred to as a French drain.

Catch Basin. An inlet structure for the collection of stormwater from impervious surfaces designed with a sump to trap sediment.

Detention. The practice and procedures associated with the delayed release of stormwater so as to reduce peak flow, maintain base flow, increase opportunity for recharge to groundwater, and reduce opportunity for surface runoff and soil erosion.

Detention Structure. A permanent structure for the temporary storage of runoff that is designed so as not to create a permanent

pool of water.

Disturbed Area. That part of a development site area where actual land disturbance, vegetation removal, or construction of buildings, structures or utilities will occur or has occurred.

Drainage Area. All of the area of land contributing runoff flow to a single point.

Erosion. The wearing away of the land surface by water, wind, or ice or the detachment and movement of soil or rock fragments by water, wind, ice or gravity.

Filter Strip. A strip of permanent vegetation above ponds, diversion terraces and other structures to retard flow of runoff, causing deposition of transported material, thereby reducing sediment flow.

Flow Attenuation. Prolonging the flow time of runoff to reduce the peak discharge.

Hydrograph. A graph showing variation in stage (depth) or discharge of a stream of water over a period of time.

Infiltration. The downward movement of water from the surface to the subsoil. Infiltration rate is typically expressed as inches per hour.

Infiltration Device. A stormwater recharge area, drywell, recharge basin, retention basin or any other engineered structure designed to infiltrate stormwater.

Infiltration Rate. A soil characteristic determining or describing the maximum rate at which water can enter the soil under specified conditions, including the presence of an excess of water.

Mulch. A natural or artificial layer of plant residue or other materials, such as sand or paper, on the soil surface that reduces erosion, maintains soil moisture and facilitates seed germination.

Non-Point Source. Any source from which pollutants are or may be discharged which is not a point source.

Offering Plan. A prospectus as required by §352-e of the General Business Law.

Peak Flow. The maximum instantaneous flow of water from a given condition at a specific location.

Pollution Source Controls. The structures and practices used in reducing contaminants from point and/or non-point sources.

Porous Pavement. An open graded paving material that allows water to pass through it.

Rainfall Intensity. The rate at which rain is falling at any given instant, usually expressed in inches per hour.

Rational Method. A widely accepted method for calculating stormwater runoff, volume and rates of flow for stormwater shed areas up to twenty acres.

Retention. The practice of holding or directing stormwater except that portion evaporated or bypassed in an emergency, in or to a given area so that all the stormwater will be infiltrated into the subsoil.

Retention Pond. A recharge basin that is designed to infiltrate all of the stormwater it receives and which normally has no outflow.

Re-Vegetation. The natural or artificial replacement of vegetation on a project site to reduce erosion, decrease runoff, improve water quality and improve aesthetic qualities of exposed soils.

Runoff Controls. Those structures and/or devices, including, but not limited to, dry wells, porous pavements, ditches, wetlands, holding ponds, recharge areas, and retention/detention basins that recharge groundwater and provide for peak flow attenuation.

Siltation Trap. A structure designed to trap sand and silt sized particulate matter from stormwater.

Stormwater Concept Plan (SCP). A report prepared in accordance with * Paragraph 16 of this section of this section that includes analysis of a site's environmental characteristics, potential impacts of the development on water resources and the effectiveness and acceptability of the proposed stormwater management system in order to determine the types of stormwater measures necessary for the proposed development.

Stormwater Control Measures. All those natural and man-made structures, infiltration devices, erosion controls, systems, facilities, agreements, institutional arrangements, and financial provisions to manage stormwater including, but not limited to, any of the following: dry wells, pits of crushed rock, infiltration trenches, retention ponds, detention ponds, blind ditches, swales, pipes, culverts, natural depressions, porous paving, recharge areas, and basins.

Stormwater Control Report (SCR). A report prepared in accordance with * Paragraph 16 of this section of this section that evaluates the quantity and quality of stormwater runoff resulting from the proposed project. The report shall include a set of drawings and other documents to provide all the necessary information and specifications pertaining to stormwater management and associated pollution control for a particular site. The SCR is intended to implement the SCP.

Stormwater Design Plan. The written narrative, maps and diagrams prepared for the purpose of runoff control on a specific development site, based upon survey and analysis of the site.

Stormwater Management Maintenance Agreement. An

agreement between the project sponsor and some other entity to ensure adequate maintenance and repair of the stormwater management system over the life of the project.

Stormwater Management Plan. A local stormwater management plan adopted by a municipality pursuant to * and ECL Section 43-0112.

Stormwater Recharge Area. An area of land used for infiltrating stormwater.

Stormwater Regulatory Program. A local stormwater regulatory control program adopted by a municipality pursuant to 6NYCRR 646-4 and ECL Section 43-0112.

Subcatchment. An identifiable drainage area contained within a larger watershed or drainage area.

Time of Concentration. The time required for water to flow from the most remote point of a watershed, in a hydraulic sense, to the outlet.

Engineering Specifications for Design Professionals.

Stormwater Concept Plan (SCP). A SCP, if required, shall include sufficient information to evaluate the environmental characteristics of the project site, the potential impacts of the proposed development on water resources and the effectiveness and acceptability of measures proposed for managing stormwater runoff. Sufficient engineering analysis shall be performed and provided to show that the stormwater control measures in the SCP are viable and capable of managing runoff from the site in compliance with this section and any Stormwater Management Plan and Regulatory Program adopted by the town. All anticipated development of the site and phases of the project, both present and future, shall be addressed in the SCP. The intent of this conceptual planning process is to determine the type of stormwater measures necessary for the proposed project. The SCP shall include any modifications to the proposed project necessary to achieve the required level of stormwater management. In order to ensure adequate planning for management of runoff from future development, the town may also require any SCP to consider the maximum development potential of a site under existing zoning, regardless of whether the applicant presently intends to develop the site to its maximum potential. For development or redevelopment occurring on a site where development has previously occurred, an applicant shall be required to include within the SCP measures for controlling existing stormwater runoff discharges from the site in accordance with the standards of this section to the maximum extent practicable. Such measures shall also include those measures reasonable and necessary to, at a minimum, infiltrate the runoff from the first 0.5 inches of precipitation from any storm event for

all areas within the site that have previously been developed.

Stormwater Control Report (SCR). A SCR shall be submitted that evaluates the quantity and quality of stormwater runoff resulting from the proposed project for all phases, both present and future, and if required, for the maximum potential runoff from the site if it were to be developed to its maximum potential under existing zoning. The SCR shall be consistent with, and shall be reviewed on the basis of the approved SCP. A SCR shall contain, at the minimum, the following information:

A description of the project site and surrounding area within 500 feet as it exists prior to the commencement of the project; a location map; description of the watershed of the subcatchment and its relation to the project site; soil types and descriptions on the site and surrounding area; topography of the project site and surrounding area; surface characteristics including percent cover by asphalt, concrete, crushed stone, grasses, brush, and trees; current land use including all structures, and characteristics of the shoreline and its development, if applicable; drainage patterns including streams, ponds, culverts, ditches, and wetlands; and locations of utilities, roads, and easements.

A detailed description of the proposed project including surface characteristics; proposed land use with tabulation of the percentage of surface area to be adapted to various uses; drainage patterns; locations of utilities, roads and easements; the limits of clearing and grading; and construction cost estimates of stormwater management structures.

Hydrologic and hydraulic computations of stormwater volume and flow for existing and proposed conditions shall be performed. Such computations shall include (i) description of the design storm frequency, intensity and duration, (ii) time of concentration, (iii) soil curve numbers or runoff coefficients, (iv) peak runoff rates and total runoff volumes for each watershed area or subcatchment area, (v) infiltration rates, (vi) culvert capacities, (vi) flow velocities, (viii) data on the increase and volume of runoff for the 10-year storm and on the change in the rate of runoff for the 2, 10, 50 and 100 year storms, (ix) documentation of sources for all computation methods and field test results, and (x) sufficient information to demonstrate that the proposed development, with its necessary stormwater controls, has been designed to preserve and maintain the base flow in all streams passing through, adjoining or receiving runoff from the site.

A description of how the stormwater control measures for the project will provide the best available pollutant removal technology.

A detailed description of and plans of, stormwater and erosion control measures including (i) proposed containment facilities and structures, (ii) calculations of infiltration area required, (iii) calculation of retention and/or detention/retention storage requirements and storage volume provided, (iv) calculation or documentation of infiltration rate, (v) calculation for release rate controls (orifice or pipe size), (vi) description of pollution control measures such as filter strips, sand filters, infiltration, (vii) provision for emergency overflow, and (viii) measures taken to obviate or reduce the need for runoff control such as use of porous pavement or crushed stone, or the minimization of land clearing or paving.

Drainage maps at a scale specified by the municipality showing existing and proposed conditions and contours, including the watershed area and subcatchment boundaries, acreage, inlet and outlet points of streams, culverts and drainage ditches, surface features, existing and proposed structures, buildings, pavement, flow directions, existing and proposed storm sewers, streams and other drainage channels, water quantity and quality control structure including retention basins and infiltration trenches, and a location map at a scale specified by the municipality showing the entire watershed area and indicating the project site.

A certification that the stormwater control measures as designed and presented in the SCR will function adequately, will not adversely affect adjacent or downstream waters or properties, and has been designed in accordance with this section. The report and plans shall bear the stamp and signature of the licensed professional engineer or architect or exempt land surveyor executing the above certification.

A project schedule which shall indicate the proposed starting and completion dates for all major work phases including but not limited to clearing and grading, road construction, utility placement, septic systems, stormwater control measures, wharf construction, pouring or laying of footings and foundations, building construction, and interim and permanent re-vegetation. Particular emphasis shall be placed on those elements of the schedule relating to stormwater runoff and erosion control. In general, the control facilities shall be installed first in the construction stages of a project to minimize the impacts associated with construction. Further, the project schedule shall take into account appropriate seasonal limitations for temperature and weather sensitive operations. Special measures or procedures may be required to undertake land disturbance activities occurring between October 15 and April 15.

A maintenance schedule that includes (i) the construction costs related to stormwater control, (ii) the proposed stormwater control maintenance program and annual costs of implementing such, (iii) identification of the party or parties responsible for maintenance of the system over the life of the project, (iv) a copy of any maintenance agreement, (v) identification of the party or parties responsible for correcting failures or inadequate function of stormwater control measures and responsible for assuming control of the systems in the event of failure to properly maintain the system.

The written consent of the landowner that the municipality may conduct site inspections, tests, and evaluations as are deemed necessary by it to verify site data contained in the application. Such data shall include, but are not limited to, soil type, topography, depth to seasonal high groundwater, depth to bedrock and distance to surface bodies of water. During the site inspection, one or more deep test holes and percolation tests may be required by the municipality to be performed by the applicant.

Methodologies for Determining Runoff Volumes. Stormwater volumes and rates of flow shall be calculated using the following methods: (i) for small watershed areas (up to 20 acres), the Rational Method may be used, and (ii) for larger watershed areas (up to 2,000 acres), and as the overall preferred method, the

United States Department of Agriculture method (as described in Urban Hydrology for Small Watersheds - Technical Release 55) shall be used, or (iii) any other equivalent and widely accepted method may be used.

Soil Evaluation Methods. The design infiltration rate shall be based on the results of hydrogeologic studies performed by the applicant during preparation of the SCR. The studies shall include test pits or borings located to present a clear picture of geologic and hydrologic conditions existing at the site and the areas, both on and off the site, affecting, or to be affected by, the development. A minimum of 3 subsurface excavations shall be conducted and the results shall be included in the SCR. Interpretive logs of all excavations shall be submitted with the report. Only qualified professionals shall develop hydrogeologic interpretations and conclusion. Following design of infiltration devices, additional subsurface investigations to confirm soil and groundwater conditions will be required in the areas proposed for infiltration devices. The design of any project or development shall ensure that the ability to manage stormwater is not affected by the placement of structures on those soils or locations best suited for stormwater management purposes.

Signs

(The following is recommendation from Mike Powers, Planning Board member who could not be present for the meeting tonight)

The signage code that was part of the rejected 2011 proposal is quite possibly the best way to address the issues Bill is dealing with. I feel that we should move forward and replace the current sign regulations with the section from the 2011 proposal and incorporate the suggested changes the Review Committee made to the proposed code as well as modifying the sign code to the format we currently use. The one area lacking in that section of code is definitions. I don't remember if the definitions for 'temporary signs' and the like were in another section of the proposed 2011 code or not (I disposed of my copy of the original document after the Town Board rejected it, so I can't go back and look), but if they aren't there, we will have to come up with definitions.

Mr. Lender agrees with Mr. Powers. The committee went through line by line of the proposed Zoning Law Sign section from 2011. It is a much better document for Mr. Ball to have to deal with sign issues.

Mr. Baker asked if Mr. Ball agrees that if the Town Board were to repeal the one page sign regulation law that is in current existence and replace it with the 2011 Zoning law language as amended by that committee would it address all the concerns and problems with the administrative side of the law.

Mr. Ball does agree that this will help.

Minutes for the Ticonderoga Planning Board held on May 5th, 2016 commencing at 7:00 p.m. in the Community Building

Discussion was held on problem areas and recommendations.

The board is in agreement and would like to see the final draft of the sign law from the proposed 2011 Zoning Law with the committees recommendations to review before they recommend it fully to the Town Board. (see below for the amended sign law)

Signs

Purpose. The purpose of these standards is to provide a coordinated, uniform and consistent approach for the review of signs proposed to be erected or maintained in the Town of Ticonderoga, taking into consideration the historic, cultural, scenic, aesthetic and natural resources sought to be protected by these regulations. The location, size, materials and graphic design of signs affect the appearance, character and quality of a community. Therefore, such signs shall convey their messages clearly and simply to enhance their surroundings. These standards are intended to:

Promote and protect the public health, welfare and safety by regulating signs;

Prevent 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;

Enhance and protect the town's physical appearance, community character and natural beauty in order to provide a more enjoyable and pleasing environment for residents and visitors;

Protect property values by creating a more attractive business and tourism climate; and

Encourage use of well-designed signs that clearly present visual messages in a manner compatible with their surroundings.

Applicability. Site plan review by the Planning Board and issuance of a land use permit by the Code Enforcement Officer shall be required before the erection, construction, modification or replacement of any sign, except for signs that are specifically exempted as per Paragraph *3 of this section.

Application Requirements. All applicants shall submit drawings of the proposed and all existing signs showing dimensions, sign design, material, color, lighting (including light fixture type and intensity), mounting method and location.

Exemptions. No review or permit shall be required for the

following signs. Exempt signs shall not be included in the calculation of the total sign area as per Paragraph *9 of this section.

Signs erected by a government agency.

Flags and banners intended solely for ornamental or non-advertising purposes. Official governmental flags shall be flown in accordance with applicable federal or state flag regulations.

Temporary signs for auctions, lawn sales, garage sales or similar special events, which shall be removed immediately following the event.

1 temporary real estate sign per parcel not to exceed 6 square feet in area, which shall be removed immediately following closing.

1 sign per parcel not to exceed 6 square feet in area advertising any architect, engineer or contractor working or responsible for a project on the premises upon which the sign is located to be in place only while construction is ongoing.

Temporary election signs to be posted and removed in accordance with state law.

Signs or bulletin boards incidental to places of worship, schools, libraries, government offices or similar civic facilities, not to exceed 1 per establishment and not to exceed 16 square feet in area and 6 feet in height above the ground.

Temporary signs or banners advertising non-commercial civic events, which shall be removed immediately following the event.

Signs, not to exceed 2 square feet in area, relating to trespassing or hunting, identifying the residents of a dwelling, warning of hazards, providing directions or information, or other similar non-advertising purpose.

Historic markers, memorial signs or plaques, or names of buildings and dates of erection when cut into any masonry surface or when constructed of bronze, stainless steel or similar material.

Up to 2 temporary signs per business, each 10 square feet or less in area, placed on the premises of a business for the purpose of advertising sales or specials in accordance with all location and design requirements of this section for a period of not more than 14 consecutive days nor more than a total of 56 days in any calendar year.

1 portable sign per business in accordance with Paragraph *16 of this section.

Non-illuminated signs not to exceed 2 square foot in area placed on the interior side of a window or glass door in accordance with Paragraph *6.14 of this section.

Signs Prohibited. The following types of signs shall be expressly prohibited in the Town of Ticonderoga:

Signs illuminated by or containing flashing, intermittent, rotating or moving lights. Electronic message signs may be allowed to the extent that their display is static and the message is not changed more than three times per hour. Scrolling text, animation, video or other forms of continuously changing messages shall be prohibited.

Signs consisting of or incorporating any pennant, ribbon, streamer, spinner, balloon or other similar moving, fluttering or revolving device, prohibited, except as a temporary sign.

Banners, other than for use as a lawful temporary sign in accordance with Paragraph *3 of this section.

Roof signs that are mounted so that the sign is, or appears as viewed from the street, higher than the roof peak or deck.

Signs placed upon or supported by any water body, tree or other natural object rather than the ground, or signs mounted on utility poles.

Hazards. No sign shall be designed or located to impair public safety, traffic flow or road visibility, specifically:

No sign shall impair the visibility of, or sight distance for, vehicles entering or exiting a road or driveway.

No sign shall restrict clear vision between the sidewalk and road.

No sign shall be designed so that it could be confused with any traffic sign or signal.

No luminous sign, indirectly illuminated sign or lighting device shall be placed or aimed so as to direct beams of light upon any road, sidewalk or adjacent premises in a manner that may constitute a traffic hazard or nuisance.

No sign shall in its construction employ any mirror or mirror-like surface, nor any reflective, day-glowing or other fluorescent paint or pigment.

No sign shall prevent free access to any door, window or fire escape.

Signs shall be constructed to withstand a wind pressure load of at least 30 pounds per square foot.

Setbacks. Front or road setback requirements shall not apply to signs. In districts other than the Downtown Business and Hamlet Mixed Use Districts, freestanding signs shall not be placed closer than 5 feet or the height of the sign, whichever is greater, of the right-of-way of a public or private road.

Lighting. External lights shall be directed on the sign or wall surface, preferably from fixtures mounted above or as a halo with lighting behind the sign. Illuminance of the sign face by external light fixtures shall not exceed 50 foot-candles as measured on the sign face or wall behind the sign. An external light source shall be shielded and shall not be visible from adjacent properties or roads. Light fixtures used for signs, if visible, should be of a style compatible with the overall building façade. Externally illuminated signs are preferred over internally illuminated or electronic message signs.

For the Downtown District, internally illuminated signs shall be designed so that only the sign copy is illuminated. The sign background or field shall be opaque and constructed of a non-reflective material. The light emitted from the non-opaque portions of such signs shall not exceed a maximum brightness of 500 nits.

Electronic message signs shall not exceed a maximum brightness of 5,000 nits during the day and 500 nits at night. The brightness of such signs shall automatically adjust in response to changes in ambient light levels. Electronic message signs shall default to a black screen in the case of a malfunction.

Design Guidelines. Applicants are strongly encouraged to consider the following recommendations:

When choosing a style for a sign, consider simple, classic designs that are easy to read. Avoid using too many different fonts or using lettering that is difficult to decipher.

Signs should use color to enhance the business image and building façade. Bright colors can be appropriate, but avoid using them simply to attract attention to the sign itself.

Standardized corporate or franchise signs may not be compatible with the character of the building or of the area in which the sign will be located. Consider alternate designs that retain the essential elements of the corporate/franchise identity but that utilize alternate colors or materials to harmonize with the building and/or location.

The sign housing, mounting and frame should be chosen to enhance the sign and the building façade. Avoid using materials that will detract from the sign itself.

Sign Area. The Planning Board shall not approve signage in excess of the standards specified in the table below and may further restrict the number, size and location of signs in accordance with the purposes of this section and the character of the area. The number of signs, including temporary signs, used on a building façade is an important consideration. In general, the largest or most prominent signs should advertise the business name, with smaller signs reserved for hours, sales,

listing of services/products, or other ancillary information. Avoid repeating the same text or logo too many times on the same building façade.

Sign Number and Area by District Table

	DB	HMU	NMU	HR	SR	HRM	All Other
Wall Sign	1 sf per linear foot of façade on which sign will be mounted			16 sf	16 sf	16 sf	32 sf
Freestanding Sign (area)	16 sf	32 sf	40 sf	16 sf	16 sf	32 sf	32 sf
Freestanding Sign (height)	8 ft	12 ft	16 ft	8 ft	8 ft	12 ft	12 ft
Hanging Sign	8 sf	8 sf	16 sf	8 sf	8 sf	8 sf	8 sf
Portable Sign	8 sf	8 sf	16 sf	8 sf	8 sf	8 sf	16 sf
Wall Sign	2 per business			1 per business			
Freestanding Sign	1 per parcel						
Hanging Sign	1 per customer entrance						
Portable Sign	1 per business						
Single Use on a Parcel	1 sf per linear ft of road frontage			32 sf	32 sf	48 sf	64 sf
Multiple Uses on a Parcel	1 sf per linear ft of road frontage or 32 sf + 16 sf per use			16 sf + 8 sf per use		32 sf + 8 sf per use	

Computation of Permissible Sign Area. When computing the total sign area for any use:

Existing signs shall be included.

Exempt and portable signs shall not be included.

Hanging and free-standing signs shall not include the support structure if not an integral part of the design.

Signs consisting of freestanding letters, numerals or other devices shall include any intervening spaces between them.

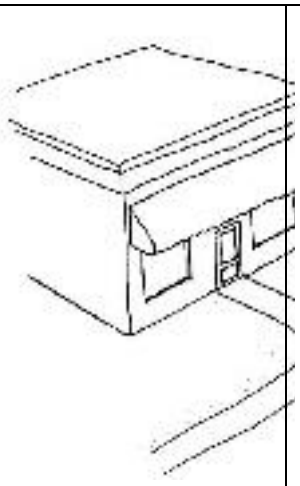
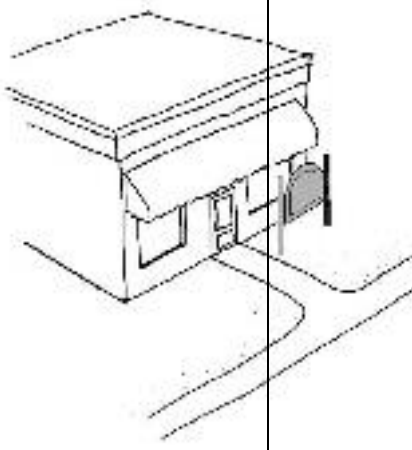
Only one face of a double-faced sign shall be used. If the faces

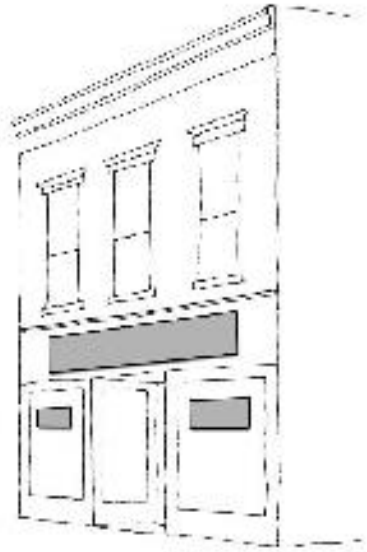
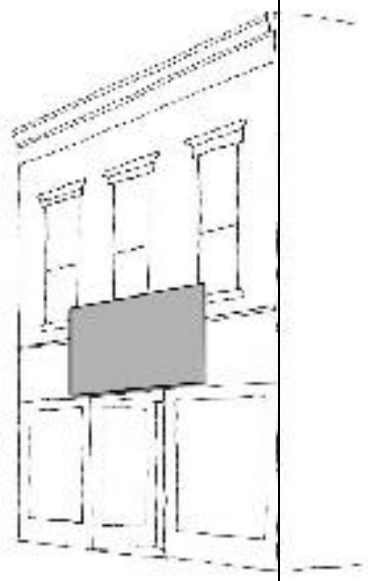
are not the same size, the larger face shall be used.

In the case of three-dimensional signs, the calculated area shall be the total surface area of the three-dimensional sign visible as viewed from the public way.

Sign Design Standards Table

<table>
<tr><td rowspan="6">Freestanding Signs. Freestanding signs should be placed where they will not block the view of the building and should be oriented perpendicular to the road or sidewalk for maximum visibility.

Within the Downtown Business, Hamlet Mixed Use and Neighborhood Mixed Use districts, signs should be located to enhance the pedestrian environment and use of monument signs rather than tall pole signs is preferred.</td><td colspan="2">  </td><td>  </td></tr>
<tr><td colspan="2">ENCOURAGED</td><td>DISCOURAGED</td></tr>
<tr><td colspan="3"></td></tr>
<tr><td>NMU</td><td>HMU, HRM
All Other</td><td>DB, HR,
SR</td></tr>
<tr><td colspan="3">MAXIMUM DIMENSIONS</td></tr>
<tr><td colspan="3"></td></tr>
<tr><td colspan="3"></td></tr>
<tr><td colspan="3"></td></tr>
<tr><td colspan="3">Wall Signs. Wall signs shall be placed in a manner that complements the architecture of buildings. A wall sign shall not extend above the eaves, nor block access to</td></tr>
</table>

any window or door. Signs should not be placed in locations where architectural details (e.g., window frames, cornices or other trim) will be obscured. Signs should be logically located on the building facades, such as within or just above storefront windows. No wall sign shall project more than 2 feet from the wall of any building. Signs on canopies or in windows shall be considered wall signs for the purposes of determining the number and size of signs permitted.		
		
ENCOURAGED		**DISCOURAGED**
Hanging Signs. The lowest portion of a hanging sign or its support structure shall be at least 8 feet above the sidewalk or grade directly beneath it. No hanging sign or its support structure shall project more than 6 feet from the wall of any building or beyond 1 foot from the edge of the sidewalk, whichever is less.		

	MAXIMUM DIMENSIONS

Signs on Vehicles. No vehicle on which is placed or painted any advertising sign shall be regularly parked or stationed on a premises or in a parking space in a manner primarily intended to display the sign. Any of the following shall be considered evidence that such a vehicle is being used primarily as a sign:

The vehicle involved is an inoperable or unregistered vehicle.

The sign would interfere with or prevent the vehicle from being legally driven on the road.

The vehicle is not being regularly driven.

Portable Signs. Portable signs may be placed on the premises or within 10 feet of the front door of the business or location of the activity being advertised, including on the public sidewalk, in accordance the standards below:

No such sign shall be placed in a public parking space or public park, nor shall a portable sign be placed in a manner that would restrict public sidewalks to a width of less than 5 feet.

Portable signs shall not be illuminated or embellished with devices as described in Paragraph *10 of this section.

Portable signs shall only be placed out when the business being advertised is open.

Nonconforming Signs. The following shall apply to lawful pre-existing signs that do not conform to the requirements of this section:

A nonconforming sign shall not be enlarged or replaced by another nonconforming sign.

If a project is proposed for a property upon which an existing nonconforming sign is located or that involves a business that has an existing nonconforming sign, the Planning Board shall require that the nonconforming sign be brought into compliance with these standards or removed.

> **Removal and Repair of Signs.** Any sign that no longer advertises an existing business conducted or product sold on the premises upon which such sign is located shall be removed within 90 days. All signs shall be made of durable materials and maintained in good condition. Materials, such as certain kinds of plastic or aluminum, which may fade in direct sunlight and cannot be re-painted or otherwise maintained should be avoided. Any sign that is abandoned, unsafe, insecure or a menace to the public may be removed by the town at the property owner's expense if the owner takes no action to repair or remove such a sign after a notice of violation as per Section * of this code.

Mr. Ball did remind the board that if there is a problem down the road, the law can always be changed.

The board agreed. They will review the final draft and vote to recommend at the next Planning Board meeting.

Resolution #12-2016 brought by Walt Lender, seconded by Scott Manning to adjourn at 7:55 p.m. **6 - Aye, 0 - Nays. Carried.**

Respectfully submitted, Tonya M. Thompson, Town Clerk