

## Adam L. Wekstein

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**From:** John Hamilton <JHamilton@townofossining.com>  
**Sent:** Wednesday, September 19, 2018 10:23 AM  
**To:** Adam L. Wekstein  
**Cc:** Dana Levenberg; dan@ciarcia.com; DStolman@fpclark.com; Kathy Zalantis; Christie Addona; Madeline Zachacz; Sandra Anelli  
**Subject:** 530 North State Road - Proposed Learning Experience Day care Facility

Good Morning Adam,

During our meeting today you showed me plans for several signs to be installed on the property and the proposed building. I will address them as follows:

1. The free standing sign that will be placed by North State Road measures approximately 39.7 square feet. Section 200-18C(3) of the town zoning code states:

***"Freestanding signs advertising only activities conducted on the lot; however, no such sign shall exceed 20 square feet in area on each side and 10 feet in height from the ground level to the top of the sign, and no part of said sign shall extend over the lot or street line."***

This freestanding sign exceeds the 20 square foot allowance in the code and will require a variance through the zoning board.

2. The signs attached to the front and side of the building measure approximately 32 square feet. The height of these signs is approximately 3'6" each. Section 200-18C(2) states:

Accessory signs advertising only activities conducted on the lot are permitted, provided that they do not exceed two feet in height nor 25% of the length of the building. Such signs shall be attached to the wall of the building and shall not project more than 15 inches beyond the face of such wall. Signs projecting above the roof or beyond the side walls are prohibited.

These two signs that will be attached to the building exceed the two foot height limitation and a zoning variance will be required.

3. There are two columns on the main entrance of the building that have multi colored non-structural building type advertising blocks with letters and numbers on them. The blocks on each individual column measure approximately 9.8 feet in height and 2 feet in width in the aggregate. Section 200-53 (Definitions) of the zoning code states:

### **SIGNS**

***"Any structure or part thereof, or any device attached to a building or painted or represented thereon, which shall display or include any letter, word, model, banner, pennant, insignia, device, trade flag or representation which is in the nature of, or which is used as, an announcement, direction or advertisement, for commercial purposes or otherwise. A "sign" includes a billboard and a neon tube, string of lights or similar device outlining or hung upon any part of a building or lot, but does not include the flag or insignia of any nation or group of nations or of any governmental agency or of any political, educational, charitable, philanthropic, civic, professional, religious or like campaign, drive, movement or event. Excluded from this definition are signs which are solely devoted to prohibiting trespassing, hunting or fishing."***

## **SIGN AREA**

***"Includes all faces of a sign measured as follows:***

- (1) When such sign is on a plate or framed or outlined, all of the area of such plate or the area enclosed by such frame or outline shall be included.***
- (2) When such sign consists only of letters, designs or figures engraved, painted, projected or in any manner affixed on a wall, the total area of such sign shall be deemed the area within which all of the matter of which such sign consists may be inscribed."***

It appears these blocks are part of the insignia or trade flag which is used as an announcement or advertisement for the commercial entity. While the signs do not exceed the 20 square foot limitation, each sign is greater than the 2 foot in height measurement in aggregate as indicated in Section 200-18C(2). Based on this a zoning variance will be needed for these as well.

Please contact me if I can be of further assistance regarding this matter.

John Hamilton  
Building Inspector