

# TOWN OF TRENTON

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STEPHEN A. GODFREY, Councilman  
BETSY BEIL MACK, Councilwoman  
DAVID HOKE, Councilman  
MICHAEL BENNISON, Councilman

## Site Plan Documentation Checklist:

1. Town of Trenton Calendar and Official Directory
2. Site Plan Approval Application
3. Zoning & Building Permit Application
4. Zoning and Building Permit Application Process Guide
5. SEQR – Short Environmental Assessment Form
6. Town of Trenton Codes - Site Plan Review (Chapter 70)
7. Development Guidelines for Site Plan Review
8. Sign Permit Application
9. Town of Trenton Codes - Signs (Chapter 67)

Please be sure your packet contains all of the above listed documentation.

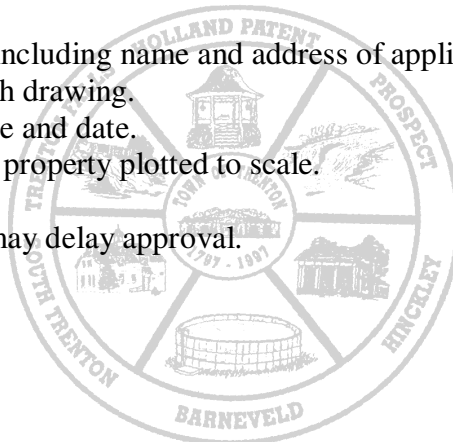
Please submit the following *completed* forms:

- \_\_\_\_\_ Site Plan Approval Application
- \_\_\_\_\_ Zoning & Building Permit Application
- \_\_\_\_\_ Short Environmental Assessment Form (SEQR)
- \_\_\_\_\_ Sign Permit Application
- \_\_\_\_\_ Sketch Plan or Final Plan, as applicable:

- A. Title of drawing, including name and address of applicant and persons responsible for preparation of such drawing.
- B. North Arrow, scale and date.
- C. Boundaries of the property plotted to scale.

Failure to fully complete the forms may delay approval.

(REV. 1/31/18)



**The Town of Trenton is an equal opportunity provider, and employer.**

## Town of Trenton Planning Board

PO Box 206  
Barneveld, NY 13304

John Panzone, Chairman  
315-896-2974

### Site Plan Approval

All development within the Town of Trenton Commercial-Business (C-B), Land Conservation (L-C) and Wellhead Protection Overlay (W-O) zoning districts must be reviewed and approved by the Town of Trenton Planning Board before being undertaken.

The attached application form, attached to a completed *Zoning and Building Permit Application Form*, will enable you to give the Planning Board enough information to review your project in the shortest possible time. However, due to State and County requirements, certain reviews and public notices are required, which usually take a minimum of 5-6 weeks. You should, therefore, plan your project carefully and present this application well in advance of your intended construction start. You should plan to attend the next available meeting of the Town of Trenton Planning Board to discuss your project. The Planning Board meets the first Tuesday of each month at 7:00 PM in the Town of Trenton Municipal Center. Please call John Panzone, Planning Board Chairman, in advance of the meeting to be placed on the agenda.

**Application instructions: To obtain site plan approval for any development project within the C-B, L-C or W-O zoning districts...** include all information requested on the forms entitled, *Application for Site Plan Approval* and *Zoning and Building Permit Application*. **Failure to fully complete the forms may delay approval.** A preliminary sketch plan including all relevant information listed in items **A** through **T** of the application and a \$25 application fee payable to the Town of Trenton must accompany this application. Mail or deliver the completed application to the Town Clerk at the Town of Trenton Municipal Center (Old Poland Road), PO Box 206, Barneveld, NY 13304.

In addition to the Site Plan Application, please complete Part I of the attached, *Short Environmental Assessment Form*. Part II will be completed by the Planning Board.

The Town of Trenton will collect reimbursement funds for all technical review(s) performed by its consultant(s) as a requirement for Site Plan Review. The Town of Trenton will notify the Applicant of the estimated fee(s) upon initial evaluation by its consultant(s). The Applicant will submit payment to the Town of Trenton prior to such review(s).

Questions may be addressed to the Planning Board Chairman, John Panzone (315-896-2974) or the Zoning Enforcement Officer, Leo Boulrice (315-534-0989).

App# \_\_\_\_\_  
Date \_\_\_\_\_  
Parcel # \_\_\_\_\_

# Town of Trenton

## Application for Site Plan Approval

Name of proposed development: \_\_\_\_\_

Applicant: \_\_\_\_\_

Plans prepared by: \_\_\_\_\_ Phone(s): \_\_\_\_\_ (cell) \_\_\_\_\_

Address: \_\_\_\_\_

Attached is a: <input type="checkbox"/> Sketch Plan <input type="checkbox"/> Final Plan
---

Proposed use of the site: \_\_\_\_\_

\_\_\_\_\_

Total project area (buildings and outdoor space, in square feet): \_\_\_\_\_

County, State Federal permits needed (list type and appropriate department): \_\_\_\_\_

Anticipated construction time: \_\_\_\_\_ Will development be staged? \_\_\_\_\_

Current land use of the site: \_\_\_\_\_

Current conditions (buildings, brush, etc.): \_\_\_\_\_

\_\_\_\_\_

Anticipated increase in number of residents, shoppers, employees, vehicular traffic, etc. (as applicable):

\_\_\_\_\_

\_\_\_\_\_

**Address each of the following, by location on the site plan or as part of the written application (use additional paper if necessary).**

\_\_\_\_\_ A. Title of drawing, including name and address of applicant and person responsible for preparation of such drawing.

\_\_\_\_\_ B. North arrow, scale and date.

\_\_\_\_\_ C. Boundaries and dimensions of the property platted to scale.

\_\_\_\_\_ D. Existing watercourses, if any.

\_\_\_\_\_ E. Grading and drainage plan, showing existing and proposed contours.

\_\_\_\_\_ F. Location, design, proposed use and height of all buildings, including exterior building materials (e.g., siding and roofing) and colors.

- \_\_\_\_\_ G. Location, design and type of construction of all parking and truck loading areas, showing access and egress, location and type of curbing.
- \_\_\_\_\_ H. Provision for pedestrian access.
- \_\_\_\_\_ I. Location of outdoor storage, including dumpsters and provisions for dumpster screening.
- \_\_\_\_\_ J. Location, design and construction materials of all existing or proposed site improvements, including drains, culverts, retaining walls and fences.
- \_\_\_\_\_ K. Description of method of sewage disposal and location.
- \_\_\_\_\_ L. Description of the method of securing public or private water, and location.
- \_\_\_\_\_ M. Location of fire and other emergency zones, including the location of fire hydrants, if any.
- \_\_\_\_\_ N. Location and design of all energy distribution facilities,, including electrical, gas and solar energy, if any.
- \_\_\_\_\_ O. Location, size, design and type of construction of all proposed signs, if any. A sign application form should be obtained from the Town and submitted with the site plan.
- \_\_\_\_\_ P. Location and proposed development of all buffer areas, including existing vegetative cover and screening.
- \_\_\_\_\_ Q. Location and design of outdoor lighting facilities.
- \_\_\_\_\_ R. Identification of the location and amount of building area proposed for retail sales or similar commercial activity.
- \_\_\_\_\_ S. Landscaping plan and planting schedule.
- \_\_\_\_\_ T. Complete and attach an environmental assessment form (EAF) in compliance with the State Environmental Quality Review Act (SEQR).

*I certify that I am the owner or authorized agent for which the foregoing work is proposed to be done, and that I am duly authorized to perform such work, and that all work will be performed in accordance with above information and in compliance with all existing local ordinances and State laws. I further understand that any deviation from the information on this application, once approved, must have prior approval in writing from the Zoning Enforcement Officer.*

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

*If you have questions, contact:*

**Planning Board Chairman, John Panzone, 315-896-2974**  
**Zoning Enforcement Officer, Leo Boulerice, 315-534-0989**

# ZONING AND BUILDING PERMIT APPLICATION

Town of Trenton

Village of Holland Patent

*Instructions: Please read and understand the full instructions on page 2 of this form before completing it. A plot plan and zoning fee of \$15, payable to "Town of Trenton" must accompany it. Incomplete submissions cannot be acted upon. Mail or deliver completed application to the Trenton Town Clerk, PO Box 206, Barneveld, NY 13304. Office is located at 8520 Old Poland Road, Barneveld. Regulations are online at: [www.town.trenton.ny.us](http://www.town.trenton.ny.us) (Town of Trenton) & [www.village.holland-patent.ny.us](http://www.village.holland-patent.ny.us) (Village of Holland Patent). Regulations are also available at the respective Town and Village Clerk's Offices.*

Applicant \_\_\_\_\_ Phone #'s \_\_\_\_\_

Address \_\_\_\_\_

Parcel location\* \_\_\_\_\_

Parcel owner, address, phone, & email \_\_\_\_\_

**Project Description** (check all that apply):     new (height)\_\_\_\_\_     existing     parcel division

**Construction class:**     single-family residence     2-family residence     multi-family     townhouse  
 addition     accessory structure     septic     occupancy change     pool:( )*in-ground* ( )*above-ground*  
 commercial/business\*     home occupation\*\*     conditional use\*\*     farm roadside stand  
 demolition     mining     other

**Construction type:**     stick frame     masonry     modular     double-wide     single-wide     other

Brief description: \_\_\_\_\_

\* - *If parcel is located within the Commercial-Business (C-B) zoning district, complete this form and attach a completed Site Plan Review application, available from the Town Clerk or Enforcement Officer. Submit both forms together (total application fee is \$25.)*

\*\* - *If you are seeking a Home Occupation or Conditional Use permit, request and attach the respective supplemental form.*

**Parcel Description:**

Lot is:     interior     corner

Parcel area: \_\_\_\_\_ Lot dimensions: \_\_\_\_\_ Road frontage: \_\_\_\_\_ ft.

Front setback (from road centerline): \_\_\_\_\_ Side setbacks: \_\_\_\_\_ Rear setback: \_\_\_\_\_

**Additional building permit information:**

Planned construction start date: \_\_\_\_\_ Planned completion date: \_\_\_\_\_

Estimated total project cost: \$ \_\_\_\_\_

For conversions: Existing Use and Occupancy: \_\_\_\_\_ Intended: \_\_\_\_\_

Architect (name, address, phone): \_\_\_\_\_

Contractor (name, address, phone): \_\_\_\_\_

Specify NY Board of Fire Underwriters or other agency/organization to inspect and certify electrical work: \_\_\_\_\_

I certify that I am the owner or authorized agent for which the foregoing work is proposed to be done, and that I am duly authorized to perform such work, and that all work will be performed in accordance with above information and in compliance with all existing local and State laws. I further understand that any deviation from the information on this application, once approved, must have prior approval in writing from the Zoning Enforcement Officer or the Building Codes Enforcement Officer.

Signature of applicant: \_\_\_\_\_ date: \_\_\_\_\_

Signature of parcel owner(if other than applicant): \_\_\_\_\_ date: \_\_\_\_\_

⇨ REMEMBER TO ATTACH A PLOT PLAN TO THIS APPLICATION ⇩

Parcel ID # _____	Zoning action _____	App# _____	Date _____
Zoning: _____	Date _____	CK # _____	by _____
	by _____		
		fee _____	

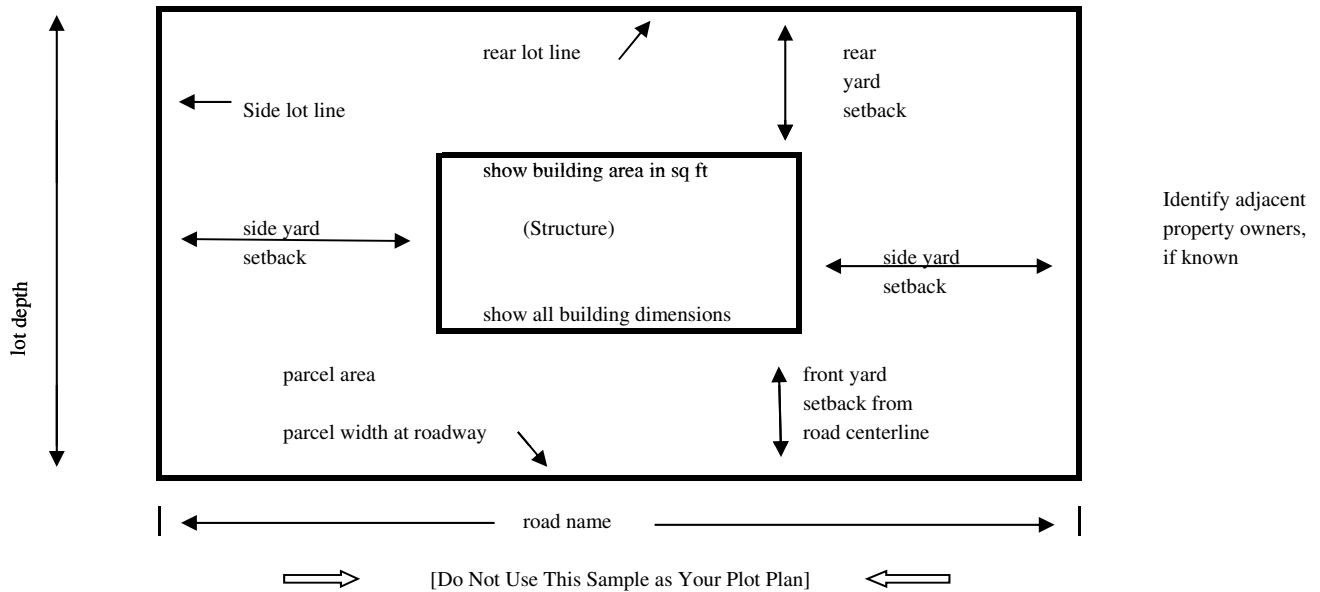
# Instructions

To obtain approval for a Zoning Permit, include all information sought on page 1 of this form. Failure to fully complete this form may delay approval and issuance of a Building Permit from the Building Codes Department. The zoning law is available online under "Laws" at [www.town.trenton.ny.us](http://www.town.trenton.ny.us) (Town of Trenton) & [www.village.holland-patent.ny.us](http://www.village.holland-patent.ny.us) (Village of Holland Patent). Regulations are also available at the respective Town and Village Clerk's Offices. Questions may be addressed to the Zoning Enforcement Officer at (315) 534-0989. Please print clearly. Included with this form must be the following:

- ✦ A plot plan showing the actual configuration and dimensions of the parcel, all existing and proposed structures, plus setback distances (to the nearest foot) from the road centerline and adjacent parcel property lines. Also include any other significant or identifying landmarks or geographic features of the parcel. Refer to the diagram below in preparing your parcel's plot plan. Do not mark the sample plan below. A photocopy of your survey map may be used in preparing the plot plan.
- ✦ Zoning Fee: \$15, payable to "Town of Trenton" must accompany application. Schedule of fees available on request.
- ✦ Residents of Trenton Assembly Park must have prior written approval from the Board of Directors before submitting this application.
- ✦ Residents of mobile home parks must have prior written approval from the Park Manager before submitting this application.
- ✦ **Building Permit (BP):** Upon approval of the zoning permit, you must apply to the Codes Enforcement Officer (315)-534-2581 for a building permit. The Code requires submission of two sets of construction documents that are prepared by a New York State registered architect or licensed professional engineer, which substantiate compliance with the Energy Code and the NYS Uniform Building Code. Construction documents are not required for installation or construction of one-story structures less than 144 sq. ft. associated with one- or two-family units or townhouses. The BP fee is determined upon area and use of structure. The Building Code Officer will advise you of the BP fee which is payable to "Town of Trenton" before issuance of the building permit.

## SAMPLE PLOT PLAN

On a separate sheet, please prepare a plot plan including all the information shown below for each existing and proposed structure on the parcel.  
Show all measurements, in feet, to the closest part of the structure.



## Tax Exemptions Granted To Trenton Residents

Any residential building in the Town of Trenton that is reconstructed, altered or improved shall be exempt from an increase in the assessment based on the value of the capital improvement, on a sliding scale, for a period of seven years.

For details see Town Law, Chapter 46, Article 1 available from the Town Clerk's Office or online at [town.trenton.ny.us/content/Laws](http://town.trenton.ny.us/content/Laws).

This law was adopted by the Town Board to encourage property owners to invest in their residences without being penalized for doing so.

Several rules apply:

- 1) The residence must be a one-or two-family dwelling.
- 2) The improvement must be valued at a minimum \$3,000, but not more than \$80,000.
- 3) The residence must be at least 5 years old.

Applications for exemptions must be made to the Assessor's Office prior to March 1st of any year.

Questions may be directed to the Assessor at (315)-896-2664

# TOWN OF TRENTON

Trenton Municipal Center  
8520 Old Poland Road  
Barneveld, NY 13304  
(315) 896-2664

## ZONING AND/OR BUILDING PERMIT APPLICATION PROCESS GUIDE

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ANY NEW CONSTRUCTION, DEMOLITION, RENOVATING, REMODELING, RELOCATING OF BUILDING, OR CHANGING THE USE OR OCCUPANCY, HOME OCCUPATION, POOL, WOOD STOVE/FIRE PLACE, FIRE ALARM OR SPRINKLER SYSTEM, OCCUPANCY OR USE CHANGE ON YOUR HOME, BUSINESS OR PROPERTY MAY REQUIRE A BUILDING PERMIT BE OBTAINED.

THE TOWN OF TRENTON AND THE VILLAGES OF BARNEVELD, HOLLAND PATENT AND PROSPECT STRIVE TO MAKE THIS PROCESS GO QUICKLY AND SMOOTHLY FOR YOU AND YOUR PROJECT.

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1. A PROPERTY OWNER (OR DESIGNATED AGENT WITH OWNER'S SIGNED CONSENT FORM) MAY OBTAIN A ZONING AND BUILDING PERMIT APPLICATION FORM FROM THE RESPECTIVE TOWN OR VILLAGE CLERK'S OFFICES, OR ONLINE ([www.town.trenton.ny.us](http://www.town.trenton.ny.us) (Town of Trenton) & [www.village.holland-patent.ny.us](http://www.village.holland-patent.ny.us) (Village of Holland Patent)). IT IS IMPORTANT THAT ALL SECTIONS ON THE APPLICATION FORM ARE COMPLETED TO ASSURE A SPEEDY APPROVAL PROCESS. SUBMIT THE COMPLETED APPLICATION FORM AND FEE (\$15) TO THE TOWN CLERK, WHO WILL PROCESS AND FORWARD IT TO THE ZONING OFFICER.
2. THE ZONING ENFORCEMENT OFFICER (LEO BOULERICE 534-0989) WILL REVIEW THE APPLICATION FOR ZONING DETERMINATION. IF APPROVED, YOUR APPLICATION WILL BE FORWARDED TO THE BUILDING CODE DEPARTMENT (CODE ENFORCEMENT OFFICIAL – KEN CUTLER 534-2581); AND, IF REQUIRED, YOUR APPLICATION WILL BE FORWARDED

TO THE PLANNING BOARD AND/OR THE ZONING BOARD OF APPEALS. IF THERE ARE ANY QUESTIONS OR CONCERNS REGARDING THE APPLICATION PROCEDURE, YOU MAY CALL THE ZONING OFFICER.

3. UPON APPROVAL FROM THE RESPECTIVE DEPARTMENT(S) YOUR APPROVED APPLICATION WILL BE FORWARDED TO YOU AND THE BUILDING CODE DEPARTMENT. **BEFORE YOU START YOUR PROJECT YOU MUST HAVE A BUILDING PERMIT.** YOU WILL HAVE TO CONTACT THE CODE ENFORCEMENT OFFICER (CEO), KEN CUTLER 534-2581 TO INITIATE THE BUILDING PERMIT PROCESS. IF YOUR APPLICATION WAS REVIEWED FOR SITE PLAN APPROVAL (PLANNING BOARD, ZONING BOARD OF APPEALS) YOU WILL HAVE ONE (1) YEAR TO ACQUIRE A BP AND START YOUR PROJECT. A BUILDING PERMIT FEE(S) MUST BE SUBMITTED TO RECEIVE A BUILDING PERMIT. THE FEE WILL DEPEND ON THE TYPE AND SIZE OF THE PROJECT. THE CEO WILL LET YOU KNOW THE AMOUNT.

4. **BUILDING PERMIT APPLICATION CHECKLIST:** PLEASE NOTE THAT ALL CONSTRUCTION WORK MUST CONFORM TO THE NEW YORK STATE CODE AND THE RESPECTIVE CODE FOR THE TOWN OF TRENTON, VILLAGES OF BARNEVELD, PROSPECT & HOLLAND PATENT: (PLEASE NOTE THAT YOUR PROJECT MAY NOT BE REQUIRED TO FULFILL ALL ITEMS LISTED – CONTACT THE CODES ENFORCEMENT OFFICER)

- Provide all respective approved paperwork, variance or special restrictions, and approved drawings from the Zoning Officer, Planning Board, and the Zoning Board of Appeals;
- Driveway/Road Cut Permit (Town, County, State, etc.)
- NYS Workman's Compensation & Disability Insurance Certificate(s), (insured –C-105.2, or U-16.3), (self insured, SI-120) or exempt (C-105.21), (WCL sect. 57);
- Liability insurance certificate;
- Storm Water Plan, (SPEDES Permit, issued by DEC 315-793-2554) if disturbing more than one (1) acre of soil and if your project is classified within the categories of a Town House, Commercial, Industrial, or Institutional structure;

• Historic District approval (if required);

**BUILDING PERMIT APPLICATION CHECKLIST (cont.)**



- Well Driller's certification/registration number;
- Municipal Water Board approval for hookup if you are using a public water supply;
- Residential septic drawings (**red stamped**) by a NYS Licensed Engineer;
- Commercial septic drawings approved by the Oneida County Health Dept.;
- Energy Code compliance document(s) (ResChk., ComChk.)
- Two (2) complete sets of construction documents (drawings, signed and sealed in **RED** by a NYS licensed Architect or Engineer);
- Specify (separate documentation) any Special Inspections called out by your Architect or Engineer.

UPON APPROVAL OF YOUR BUILDING PERMIT APPLICATION, YOU WILL BE NOTIFIED (MAIL/PHONE, OR BOTH) AND YOU WILL ALSO BE PROVIDED WITH YOUR BUILDING PERMIT(S) AND ONE (1) SET OF YOUR DRAWINGS SUBMITTED (CEO APPROVAL STAMPED). THE BP AND YOUR CEO-STAMPED DRAWINGS MUST BE ON CONSTRUCTION SITE.

THE WORK COVERED BY THIS BUILDING PERMIT MAY NOT BE CHANGED, ALTERED OR WORK PERFORMED WITHOUT APPROVAL DOCUMENTATION FROM YOUR ARCHITECT OR ENGINEER, APPLICABLE AGENCY, AND THE BUILDING CODE DEPARTMENT.

NO BUILDING OR STRUCTURE PERMITTED SHALL BE OCCUPIED OR USED IN WHOLE OR PART, FOR ANY PURPOSE WHATEVER, UNTIL THE BUILDING CODE DEPARTMENT (CEO) GRANTS A CERTIFICATE OF OCCUPANCY/COMPLIANCE.

OWNER IS RESPONSIBLE TO ASSURE THAT ALL NECESSARY CONSTRUCTION DOCUMENTATION IS PRESENTED TO THE CEO (REFER TO CERTIFICATE OF OCCUPANCY/COMPLIANCE CHECK LIST); PLEASE CONSULT WITH THE CEO AS TO WHAT DOCUMENTS YOU WILL NEED TO ASSURE PROMPT ISSUANCE OF YOUR CERTIFICATE OF OCCUPANCY/COMPLIANCE.

(Rev 1/31/18)

# *Short Environmental Assessment Form*

## *Part 1 - Project Information*

### Instructions for Completing

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>				
Name of Action or Project:				
Project Location (describe, and attach a location map):				
Brief Description of Proposed Action:				
Name of Applicant or Sponsor:		Telephone:		
		E-Mail:		
Address:				
City/PO:		State:	Zip Code:	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<b>NO</b>	<b>YES</b>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<b>NO</b>	<b>YES</b>
3.a. Total acreage of the site of the proposed action? _____ acres				
b. Total acreage to be physically disturbed? _____ acres				
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres				
4. Check all land uses that occur on, adjoining and near the proposed action.				
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)				
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____				
<input type="checkbox"/> Parkland				

5. Is the proposed action, a. A permitted use under the zoning regulations?	<b>NO</b>	<b>YES</b>	<b>N/A</b>
b. Consistent with the adopted comprehensive plan?			
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<b>NO</b>	<b>YES</b>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____ _____	<b>NO</b>	<b>YES</b>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?  b. Are public transportation service(s) available at or near the site of the proposed action?  c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<b>NO</b>	<b>YES</b>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<b>NO</b>	<b>YES</b>	
10. Will the proposed action connect to an existing public/private water supply?  If No, describe method for providing potable water: _____ _____	<b>NO</b>	<b>YES</b>	
11. Will the proposed action connect to existing wastewater utilities?  If No, describe method for providing wastewater treatment: _____ _____	<b>NO</b>	<b>YES</b>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?  b. Is the proposed action located in an archeological sensitive area?	<b>NO</b>	<b>YES</b>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?  b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	<b>NO</b>	<b>YES</b>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	<b>NO</b>	<b>YES</b>	
16. Is the project site located in the 100 year flood plain?	<b>NO</b>	<b>YES</b>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES  b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input type="checkbox"/> YES _____ _____	<b>NO</b>	<b>YES</b>	

<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p> <p>_____</p>	<p><b>NO</b></p>	<p><b>YES</b></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	<p><b>NO</b></p>	<p><b>YES</b></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	<p><b>NO</b></p>	<p><b>YES</b></p>
<p><b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p> <p>Applicant/sponsor name: _____ Date: _____</p> <p>Signature: _____</p>		

**Chapter 70**

**SITE PLAN REVIEW**

**ARTICLE I  
General Provisions**

- § 70-1. Declaration of intent.**
- § 70-2. Delegation of authority.**
- § 70-3. (Reserved)**

**ARTICLE II  
Review Procedures**

- § 70-4. Sketch plan conference.**
- § 70-5. Application for site plan approval.**
- § 70-6. Review of site plan.**
- § 70-7. Public hearing.**
- § 70-8. Planning Board action on site plan.**
- § 70-9. Reimbursable costs.**
- § 70-10. Performance guaranty.**
- § 70-11. Inspection of improvements.**
- § 70-12. Penalties for offenses.**
- § 70-13. Termination of site plan approval.**

**[HISTORY: Adopted by the Town Board of the Town of Trenton 6-8-1988 by L.L. No. 2-1988. Amendments noted where applicable.]**

## GENERAL REFERENCES

Flood damage prevention — See Ch. 51.

Subdivision of land — See Ch. 76.

Zoning — See Ch. 86.

ARTICLE I  
General Provisions

**§ 70-1. Declaration of intent. [Amended 2-11-1998 by L.L. No. 1-1998]**

This chapter is enacted pursuant to the provisions of § 274-a of the New York Town Law in order to ensure that proposed development of land within C-B Commercial Business Districts and L-C Conservation Districts, and construction of telecommunications towers, will have a harmonious relationship with existing adjacent land uses and that such development does not otherwise infringe upon the health, safety and general welfare of the community.

**§ 70-2. Delegation of authority.**

- A. Authority for the review of site plans as required by this chapter is hereby delegated by the Town Board to the Planning Board of the Town of Trenton. The Planning Board shall have the power to review and approve, approve with modifications or disapprove site plans for all uses in C-B Commercial Business Districts and L-C Conservation Districts, and construction of telecommunications towers, as provided for in Chapter 86. Before obtaining approval for a zoning, sign or building permit in a C-B Commercial Business District, a L-C Conservation District, or for construction of a telecommunications tower, or before any significant change is made in the type of commercial use or occupancy of the property, the owner shall submit a site plan and map to the Planning Board for its review and approval. The application shall be accompanied by a nonreimbursable fee of \$25. All uses proposed in any such district which, in the

opinion of the Zoning Enforcement Officer, or after his consultation with the Town Planner, Town Engineer, and/or Planning Board Chairman, may involve a significant change in the type of commercial use or occupancy of the property, its exterior appearance, may impact traffic flows and/or safety, fail to promote the orderly arrangement and compatible building and land use, may impose unavoidable impacts to adjacent properties and/or natural features, or fail to achieve a compatibility with existing and planned development, shall be referred to the Planning Board for site plan review. **[Amended 10-22-1996 by L.L. No. 4-1996; 2-11-1998 by L.L. No. 1-1998]**

- B. No zoning permit for development subject to site plan approval shall be issued by the Enforcement Officer except upon authorization of and in conformity with the site plan approved by the Planning Board.
- C. Nothing herein is intended to conflict with or limit the authority of the Town Board as provided by § 271 of the Town Law.

**§ 70-3. (Reserved) <sup>1</sup>**

**ARTICLE II  
Review Procedures**

**§ 70-4. Sketch plan conference.**

A sketch plan conference may be held between the Planning Board and the applicant prior to the preparation and submission of a formal site plan. The intent of such a conference is to enable the applicant to inform the Planning Board of his proposal prior to the preparation of a detailed site plan and for the Planning Board to review the general site

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1. **Editor's Note: Former § 70-3, Exemptions, was repealed 6-13-2007 by L.L. No. 6-2007.**

design concept, advise the applicant of potential problems and concerns and to generally determine the information to be required on the site plan. The applicant should provide the following:

- A. A statement and rough sketch showing the locations and dimensions of principal and accessory structures, parking areas, signs (with copy of sign permit application), existing and proposed vegetation and other planned features: anticipated changes in the existing topography and natural features; and, where applicable, measures and features to comply with flood hazard and flood insurance regulations.<sup>2</sup>
- B. A sketch or map of the area which clearly shows the location of the site with respect to nearby street rights-of-way, properties, easements and other pertinent features.

**§ 70-5. Application for site plan approval. [Amended 5-8-1996 by L.L. No. 2-1996]**

An application for site plan approval shall be made in writing to the Chairman of the Planning Board and shall be accompanied by information contained on the following checklist, as the Planning Board may have determined necessary at the sketch plan conference. The application should conform to the site plan design guidelines as adopted by the Town Board. Three copies of all plans, maps, applications and documents shall be submitted.

- A. Title of drawing, including name and address of applicant and person responsible for preparation of such drawing.
- B. North arrow, scale and date.
- C. Boundaries of the property plotted to scale.
- D. Existing watercourses.

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2. **Editor's Note: See Ch. 51, Flood Damage Prevention.**



- E. Grading and drainage plan, showing existing and proposed contours.
- F. Location, design, proposed use and height of all buildings.
- G. Location, design and type of construction of all parking and truck loading areas, showing access and egress.
- H. Provision for pedestrian access.
- I. Location of outdoor storage, if any.
- J. Location, design and construction materials of all existing or proposed site improvements, including drains, culverts, retaining walls and fences.
- K. Description of the method of sewage disposal and location.
- L. Description of the method of securing public water and location.
- M. Location of fire and other emergency zones, including the location of fire hydrants.
- N. Location and design of all energy distribution facilities, including electrical, gas and solar energy.
- O. Location, size, design and type of construction of all proposed signs.
- P. Location and proposed development of all buffer areas, including existing vegetative cover.
- Q. Location and design of outdoor lighting facilities.
- R. Identification of the location and amount of building area proposed for retail sales or similar commercial activity.
- S. General landscaping plan and planting schedule.
- T. Other elements integral to the proposed development as considered necessary by the Planning Board, including

identification of any state or county permits required for the project's execution.

- U. Completed environmental assessment form (EAF) in compliance with the State Environmental Quality Review Act (SEQR).

**§ 70-6. Review of site plan.**

The Planning Board's review of the site plan shall include but is not limited to the following:

- A. Location, arrangement, size, design and general site compatibility of buildings, lighting and signs.
- B. Adequacy, arrangement and safety of vehicular traffic access and circulation, including intersections, road widths, pavement surfaces, dividers and traffic controls.
- C. Location, arrangement, appearance and sufficiency of off-street parking and loading.
- D. Adequacy and arrangement of pedestrian traffic access and circulation, walkway structures, control of intersections with vehicular traffic and overall pedestrian convenience.
- E. Adequacy of stormwater and drainage facilities.
- F. Adequacy of water supply and sewage disposal facilities.
- G. Adequacy, type and arrangement of trees, shrubs and other landscaping constituting a visual and/or noise buffer between the applicant's and adjoining lands, including the maximum retention of existing vegetation.
- H. Adequacy of fire lanes and other emergency zones and the provision of fire hydrants.
- I. Special attention to the adequacy and impact of structures, roadways and landscaping in areas with susceptibility to ponding, flooding and/or erosion.

- J. Protection of neighboring or adjacent properties against noise, glare, unsightliness or other objectionable features.
- K. Such other elements as relate to the health, safety and general welfare of the community.

When reviewing the site plan application for any use in the Commercial-Business District (C-B), the Planning Board shall use the development guidelines<sup>3</sup> adopted by the Town Board as a basis for rendering a decision as to approval or denial of such application. **[Added 5-8-1996 by L.L. No. 2-1996]**

**§ 70-7. Public hearing.**

The Planning Board shall conduct a public hearing on the site plan if considered desirable by a majority of its members. The hearing shall be held within 45 days of receipt of the application for site plan review and shall be advertised in the town's official newspaper at least 10 days prior to the public hearing.

**§ 70-8. Planning Board action on site plan.**

- A. Developments subject to environmental quality review.
  - (1) The proposed developments in question may be subject to the provisions of the State Environmental Quality Review Act (SEQRA.) First, the Planning Board should identify the type of action of the proposed development as defined under the SEQRA. Depending on the size, location and other facts, the proposed development may be a Type I or an unlisted action. The Planning Board shall review the environmental assessment form (EAF) submitted as

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3. Editor's Note: Said development guidelines.

part of the application. The action type and related procedure will dictate the next steps, if any, to be taken to comply with the SEQRA and regulations promulgated thereunder.

- (2) If it is determined that an environmental impact statement must be prepared for the proposal in question, all time frames and deadlines herein are delayed until a draft environmental impact statement is filed. An application for site plan approval is not complete, and therefore the review clock does not start, until a determination of no significance has been made or until a draft environmental impact statement has been completed. When the draft environmental impact statement is completed, the time frame for Planning Board review begins [45 days].
- B. Within 45 days of receipt of an application for site plan approval, or if a public hearing is held, within 45 days of the public hearing, and upon compliance with the SEQRA, as above-defined, the Planning Board shall render a decision. The time within which a decision must be rendered may be extended by mutual consent of the applicant and Planning Board. The Planning Board may act as follows:
- (1) Approve the site plan, after payment by the applicant of all fees and reimbursable costs due the town, by endorsing its decision on a copy of the final site plan and forwarding a copy to the applicant and Enforcement Officer and filing same with the Town Clerk.
  - (2) Approve the site plan with recommendations of desirable modifications to be incorporated into the final site plan. Conformance with said modifications shall be considered a condition of approval.
  - (3) Disapprove the site plan.

**§ 70-9. Reimbursable costs.**

Costs incurred by the Planning Board for professional consultation fees or other extraordinary expenses in connection with the review of a proposed site plan shall be charged to the applicant.

**§ 70-10. Performance guaranty.**

No certificate of occupancy shall be issued until all improvements shown on the site plan are installed or a sufficient performance guaranty has been posted for improvements not yet completed. The sufficiency of such performance guaranty shall be determined by the Planning Board after consultations with the Town Board, Enforcement Officer, Town Attorney or other appropriate parties. A performance guaranty may take any of the following forms:

- A. A contract bond, which may include a performance bond, a labor and materials bond and a maintenance bond.
- B. A letter of credit.
- C. An escrow account.
- D. A certified check.
- E. Staged permit approval of all construction.

**§ 70-11. Inspection of improvements.**

The Enforcement Officer shall be responsible for the overall inspection of site improvements, including coordination with the Planning Board and other officials and agencies, as appropriate.

**§ 70-12. Penalties for offenses.**

- A. Where a violation of this chapter occurs, the Enforcement Officer shall send written notice to the last known owner

of record of the property as determined by the assessment records, informing said owner of the specific violation and stating that action must be taken by said owner to remove such violation within 30 days or proceedings to compel compliance with this chapter and/or the Zoning Ordinance<sup>4</sup> will be instituted. Any person or persons who commit or permit any acts contrary to the provisions of this chapter shall be guilty of a violation thereof and, upon conviction, shall be subject to a fine not exceeding \$250 and not less than \$50 or to imprisonment not to exceed 15 days, or to both fine and imprisonment. Each week a violation continues shall constitute a separate, additional violation. Any violation of this chapter may also be enjoined pursuant to law.

- B. In case any building or structure is erected, constructed, reconstructed, altered, converted or maintained, or any building, structure or land is used in violation of this chapter, the Town Board of the Town of Trenton may institute any appropriate action or proceedings to prevent such unlawful erection, construction, reconstruction, alterations, conversion, maintenance or use, to restrain, correct or abate such violation, to prevent the occupancy of said building, structure or land or to prevent any illegal act, conduct, business or use in or about such premises.

**§ 70-13. Termination of site plan approval. [Added 2-8-1995 by L.L. No. 1-1995]**

If construction of the site plan in accordance with the approved plans and specifications has not begun within one year after the date of the Planning Board resolution approving the site plan and authorizing issuance of a building permit or if construction is not completed within the date set therefor by the Planning Board in its approval, the site plan and all building permits issued thereunder shall become null and void; the approval shall be deemed revoked and vacated by the

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4. Editor's Note: See Ch. 86, Zoning.

§ 70-13

SITE PLAN REVIEW

§ 70-13

Planning Board, unless the applicant shall obtain written extension of time from the Planning Board on such conditions as the Planning Board may require in order to ensure completion of construction.





DEVELOPMENT GUIDELINES  
FOR SITE PLAN REVIEW  
IN THE TOWN OF TRENTON

Adopted by the Town Board of the  
Town of Trenton 4 / 12 / 95

## DEVELOPMENT GUIDELINES

The corridor is the sum of all its parts and more. Each development contributes to the overall appearance of the corridor and how well it functions. The overall appearance affects people's perceptions of the community and thereby affects the success or failure of each business in the corridor.

Having planning guidelines provides a clear message in developers about the Town's expectations for thoughtful and attractive site planning along this important corridor route.

It is also important to keep in mind that these are guidelines and not intended to be strict rules. They provide the Planning Board a framework within which decisions can be made. Many of the specific design guidelines may be impractical or cost prohibitive for certain businesses and developments. Independent judgment must be exercised in each case without sacrificing the intent behind the guidelines. For example, changes to existing developments may be reviewed differently than new development proposals, where sites have fewer initial limitations. Consideration must be given to the specifics in each case and handled accordingly.

### A. Site Design

We are so accustomed to driving that we easily become numbed by the experience. The visual quality of the roadside ceases to register in our consciousness. We have become conditioned to the look of the roadway, as if we think it's the way it should be, or the only way it can be. When we do notice and decide to do something, we are confronted with the prospect of fighting a problem that has been building for years.

The worst aspects of most commercial corridors are uncoordinated and insensitive corridor development. When the development in the corridor bears no relationship to the community's natural setting or local architectural styles, it leaves visitors, and some residents, too, with the impression that the community doesn't care about its appearance.

The goal of the following site design guidelines is to increase the quality of visibility, accessibility and aesthetics of the Mapledale Commercial Corridor. In order to achieve this goal, guidelines pertaining to the following objectives are suggested.

### B. Site Layout

Objective: Encourage site layouts that are functional, attractive and allow views of businesses to reduce the need for roadside advertising.

Site layout needs careful consideration early in the design process to determine how to best use the site to showcase the business from the highway while integrating other essential features such as parking. Also to be considered in site layout are adjoining land uses, and whether it makes sense to provide visual or physical linkages to them, or to separate them with screening techniques.

- Keep parking to the sides and rear of the building.
- Limit any site features, displays and landscaping in front yards that are between 3 and 12 feet tall.

- Outside storage or display of goods within the corridor should be discouraged. However, if this is allowed it should be neat and orderly.
- The minimum front building setback from the highway right-of- way should match or average the existing buildings in the vicinity. If parking is to be located in the front yard, a minimum front building setback of 40 feet should be maintained.
- A side yard setback of 10 feet between compatible commercial land uses is recommended.
- Rear yard setbacks should be a minimum of 15 feet unless the adjoining land use is residential.
- Where residential land uses adjoin commercial lots a building setback of at least 30 feet should be maintained by the commercial development. A tall landscape screen at least 15 feet wide should be installed in the setback to conceal the commercial use from the residences. As an alternative, a commercial building setback of 25 feet may be maintained if a landscape strip 25 feet wide is installed as well as a masonry wall or fence at least 8 feet tall, upon special approval of the planning board.
- Building footprints should maximize frontage along the roadway to screen parking and provide visibility for the business. Avoid placing end walls or the narrow portion of the building facing onto the street. Additions to existing businesses should maximize roadway frontage.
- The layout of buildings and site features should be square and true to the roadway. Unusual shapes and relationships to the road generally look odd and detract from roadside continuity.
- A planted strip, at least 10 feet wide, should be maintained along the highway property line. The only breaks in this strip should be for driveways.
- A planting area 12 feet wide, incorporating a sidewalk at least 5 feet wide, should be located between building and parking lots or driveways. The sides of buildings which neither have store fronts nor require sidewalks should have a planting strip at least 8 feet wide.
- Pedestrian entrances to businesses should be oriented toward the parking area and main pedestrian traffic flow. Entrances should be clearly identified as to the businesses served.

### C. Access

Objective: Consolidate and reduce the number of access points from the highway to improve safety and visually organize the roadway edge. Make driveways well-defined, easy to negotiate, and designed to accommodate any type of vehicle which might enter the site.

Clearly defined driveways not only help people find their way into businesses, but they also warn through traffic about where cars and trucks may be exiting or entering the roadway. Frequent, ill-defined curb cuts create traffic congestion and motorist confusion. A lack of definition where

highway and parking blend together is a serious traffic hazard because cars and trucks are allowed random access to the highway. This situation increases the number of potential conflict points between through traffic and shoppers.

- Encourage adjoining businesses to use shared driveways and eliminate unnecessary curb cuts, especially when lots have less than 200 feet of road frontage. Relocate and enhance major entrances as needed to visually organize the corridor. Provisions for liability should be made between the adjoining landowners.
- Limit access to each corridor lot to one two-way or two one-way driveways. Two curb cuts per site may be allowed when a site has adequate road frontage on two streets. If the Town's and the State's traffic engineers should find it in the interest of good traffic operation, one additional curb cut may be permitted on sites with longer continuous road frontage.
- At a highway operating speed of 45 miles per hour, driveways should be spaced no less than 230 feet apart, measured from the midpoint of the driveways.
- The Institute of Transportation Engineers recommends that two-way access drives have a driveway width of 30 feet with a curb return radius of 20 feet. Driveway width should be restricted to maximum of 35 feet, with a curb return radius of 15 feet. The minimum driveway width should be 25 feet to facilitate turning movements by all vehicles.
- Driveways should be oriented perpendicular to the roadway.
- Service roads connecting adjacent commercial land uses should be considered to provide shared access as an alternative to reentering the highway.
- Accent entrances with landscaping and signs. This is an area where more elaborate landscaping is effective. An identification sign placed close to the driveway will further strengthen the entrance identity. (refer to landscaping and signage sections for more details,)

#### D. Vehicular Circulation/Parking

Objective: Provide on-site circulation systems which are logical, well-delineated and safe. Parking lot design should ensure that each business has adequately sized and well-planned parking areas.

Once on site, moving cars, pedestrians, parked cars and deliveries must be adequately accommodated. Motorists must be able to comprehend the site in order to know where to go and where not to go.

- In general, if the lot size allows, parking should not be located between the building and the roadway. A better location for parking lots is to the sides and rear of the building.
- All driveways, parking lots and walks should be maintained for safety and aesthetics and paved with asphalt or concrete if affordable.
- Parking lot spaces and driving lanes should be identified with painted striping.

- Screen parking adjacent to roadways and adjoining uses. A low wall or landscape screen, a maximum of 36 inches high, will screen wheels, bumpers, and paving, but allow views, (Refer to landscaping section for more detail.)
- Allow adjoining land uses with different peak hour demands a reduction in the number of parking spaces required if the parking area is shared. For example, if a retail store which operates primarily during daytime hours shares a parking lot with a restaurant doing primarily dinner-time business, there is no reason to demand that both businesses build the full complement of parking spaces which would normally be required.
- Use vertical elements, such as planted, curbed islands and medians, to help define the circulation pattern and visually contain the parking area. Islands and medians are also ideal locations for walks. An open sea of asphalt allows motorists to take the shortest route to their destination, rather than keeping within driving lanes.
- Parking lot islands should be a minimum of 10 feet wide and as long as the adjacent parking space.
- Planting medians should be at least 8 feet wide.
- Landscaping for parking lots should be simple and easy to maintain. Hardy shade trees, low evergreen shrubs or groundcovers and grass are good choices.
- A truck parking area that would accommodate tractor trailers and other large vehicles should be considered for the corridor. This parking area should be located close to businesses which cater to driver needs.
- The following typical parking requirements were compiled by the Institute of Transportation Engineers:
 

Office:	3.0 spaces per 1,000 square feet of gross leasable floor space (GLA).
Retail:	4.0 spaces per 1,000 GLA for centers having 25,000 to 400,000 square feet.
	3.0 spaces per 1,000 square feet of GLA for convenience grocery stores without gasoline pumps.
Industrial:	0.6 spaces per employee.
Restaurants:	20 spaces per 1,000 square feet of GLA.
Hotels:	1.25 spaces per room.
- Desirable dimensions for 90-degree parking of standard and mid-sized automobiles for customers include stall widths of 9.5 to 10 feet with a module width of 60-61 feet. If a stall width

of 9.0 feet is used, the module width should be 62 feet to accommodate parking maneuvers.

#### E. Pedestrian Circulation

Objective: Provide a safer and more pedestrian environment which would encourage people to walk and shop in nearby businesses, reducing the volume of on-site vehicular movements.

Walkways should be located where people are most likely to use them and head in directions that people are most likely to want to go. Walks should be delineated by curbing, paving, and striping where appropriate and protected from moving vehicles. Pedestrian entrances to the businesses should be clearly in view from the sidewalks and marked in some way.

- Landscaping and other low site features should be used to create a more comfortable and inviting pedestrian environment.
- If sidewalks are constructed they should be paved in concrete, a decorative paving material, or asphalt, and should never be dirt.
- Separate and protect walks from parking areas and driveways with curbs and planted areas. Place walks in parking lot islands and medians when logical.
- Walk areas should be a minimum of 5 feet wide. Where more foot traffic is expected, increase the width by at least 2 feet. Where a car bumper might overhang the walkway, the walkway should be made at least 2 feet wider than normal.
- Sidewalks should connect parking areas with store entrances in the most direct manner. Use sidewalks to encourage foot traffic to pass by store fronts to increase window shopping and entice people to enter the stores.
- Use sidewalks to connect adjoining businesses so that people can park once and shop in a few places.
- Provide and maintain painted warning striping (crosswalks) in parking lots and driveways where pedestrians must cross.
- Make the shopping district accessible to all according to the American's with Disabilities Act (ADA) and local and state laws. This includes such measures as supplying handicap parking spaces, ramps as alternative to stairs and flush entrances into buildings, among others.

#### F. Screening

Objective: Make delivery and trash storage areas accessible yet inconspicuous. Screen other essential yet unsightly elements which detract from the overall look of the corridor.

Service and utility functions can often be selectively located out of public view. Screening is required for other elements and activities which must be located in the public area. The

purpose of screening is to visually integrate the unsightly element into the public environment. A few different options for screening are discussed below.

Surface parking often consumes 50 to 75% of a project site. Well-planned strategies for improving the appearance of parking areas along commercial roadways can be one of the most effective methods of improving the overall aesthetic quality of a road corridor. Screening techniques can effectively soften the visual effects of vast asphalt surfaces.

Residential development near commercial areas is a good relationship. Residences provide customers, and residents enjoy having conveniences and services nearby. Residential landowners will not, however, be happy looking at unkept backs of stores and delivery or trash storage areas. A visual barrier will allow these two land uses to coexist compatibly.

- Locating unsightly elements out of public view is the first preference. The undesirable element should be located where the least number of people will see it for the shortest length of time. Trash storage and service areas, for example, should be shielded from the corridor and major entrances.
- Partial screening is all that might be needed to effectively reduce the visual impact of some site elements such as parking. Partial screening, especially with low landscaping, softens the view while tying the element into the surrounding environment. This may be preferred to full screening for security or functional reasons.
- Full screening should be installed for those elements which are constantly messy or visually objectionable. The design and durability of the screen are very important. Full screening should be designed to require little maintenance and be located with adequate setback to prevent abuse. The design and materials used should harmonize with architectural and site development themes. A good combination of quality wooden fencing and landscaping will meet this objective.
- No screening is often an overlooked option. Trying to screen items which are only marginally obtrusive sometimes calls more attention to them. For example, a meter box which is not close to a sidewalk may only require a coat of paint in the right color to blend with its background, whereas surrounding it with plantings would attract unnecessary attention and memorialize it.
- In general, full screening of dumpsters is recommended, especially where the refuse is unsightly and soils or stains the dumpster and surrounding pavement. Dumpsters which contain only paper and boxes may only need partial screening to provide a sense of maintenance and screen litter around the dumpster base.
- For new construction service and delivery bays and garage doors should not face onto the roadway.
- Loading and service should be located where they are least visible. Full screening should be required when the dock area is excessively soiled. Partial screening, which provides boundaries between public and service areas, is absolutely necessary.
- Rooftop utilities should be located away from the corridor and fully screened where possible.

New development should incorporate rooftop utilities within the roof geometry to avoid the need for screens on the roof.

- Utilities and transformers which are not near walks should be painted a color which blends with the setting rather than drawing attention to them with plantings.
- Storage areas should be treated similarly to loading zones. If the area is oiled and contains garbage, full screening is recommended. Partial screening should suffice if the area is tidy and clean.
- Large areas requiring long sections of screening should be simple in design but not monotonous. Landscaping should be planted in masses with a limited number of species. Walls and screens should provide interruptions such as piers and columns for interest.
- Above-ground, roadside utility lines add to the visual chaos in the corridor. Every effort should be made to encourage power authorities to place their transmission lines underground wherever possible.

#### G. Landscaping/Open Space

Objective: Incorporate landscaped open space into the design of both the public corridor and private properties to functionally improve the area while making it more attractive and compatible with the surrounding environment.

Landscaping is commonly used in development to add beauty while screening undesirable elements. But landscape features can also greatly increase the motorist's ability to determine where one development ends and another begins. By delineating the edge of the development and the critically important driveway, landscaping increases the business's visibility and hence its viability in the competitive setting of the corridor.

Street trees provide scale, color, texture and rhythm to the entire length of the corridor, unifying the diverse elements that make up the corridor's visual experience. They also help to break up long views of utility lines. Only those species that can survive salt spray and snow quantities from plowing the roads should be planted.

- At least 20% of each lot should remain open space. Open space shall not include heated spaces, driveways, parking spaces, garages, portals, carports, accessory buildings or any improved surfaces.
- Greenspace should be used to separate adjoining developments, enhance the roadway, strengthen the pedestrian setting, and soften the built environment.
- New developments should be encouraged to preserve healthy, mature trees 12 inches in caliper or larger. If such trees must be sacrificed, replacement trees should be required in addition to the basic landscaping requirements for the project.
- Maintain a view area between the roadway and developments from 3 feet to 12 feet above grade where no landscaping will obscure views of the businesses or compromise security and traffic



safety.

- Only healthy, hardy, proven plant species recommended by a reputable nurseryman familiar with local conditions and climate should be used.
- A street tree program should be instituted along the roadsides where the New York State Department of Transportation deems safe
- Street trees should be used to offer visual relief from long, uninterrupted views of utilities and light poles. To be effective; however, street trees must not be located where they will grow to interfere with utility lines at maturity. Trees which have been pruned and cut back around utility lines are eyesores.
- Trees which produce a messy fruit should be avoided near paved areas.
- Landscaping should emphasize simple, tasteful design using quality materials. Easy maintenance should be a prime consideration. Shrub material that is both colorful and easy upkeep should be a priority. Evergreen shrubs should be used sparingly. Of all the shrub types, evergreens are the most expensive to buy and require more maintenance to look pleasing.
- Lawn areas should have defined edges. The use of concrete walks, steel edging or curbing is ideal for helping achieve this. However, consideration must be made for the removal of snow and what type of impact edging, curbing or walks may have on this function.
- More elaborate landscaping should be used to highlight driveway and building entrances and attract attention.
- Different planting areas in the corridor call for different types of plant materials:
- Building and driveway entrances call for special treatment. Ornamental trees and shrubs are appropriate to highlight these areas. Low shrubs or groundcovers and larger street trees will also help to provide definition in this area.
- Foundation plantings should make use of low shrubs or small trees. It is important to consider the mature size of any plant used at a foundation location. Plants that grow tall may require regular pruning to keep them in line.
- Parking lot islands and medians should include shade or street trees, low shrubs and groundcovers and grass. Security is important. Tall shrubs can provide a hiding place for thieves.
- Curbed planting strips between the roadway and the development should be kept simple but more formal.

- Regularly spaced street trees will provide shade, order and rhythm in the development, and low shrubs, groundcovers and grass will help to define the roadway edge.
- Landscape screens around the perimeter of the development can be more natural and use a wider variety of types, sizes and shapes of plant materials. Screens to block views are typically best achieved with thick, full evergreen plants. Depending on how much space is available, the screen may consist of a pruned hedge or a natural stand of evergreen trees. More natural buffers may be composed of evergreen trees and shrubs mixed with deciduous ones.
- Plant species native to the Trenton region are the best choices. Avoid plants which are susceptible to the salt used on the roads, pollution produced by cars and trucks, and wind.
- The site plan review procedure should require review of a full landscape plan. Building elevations should show proposed plant materials at maturity. There must be a balance between the overall landscape objective and cost. Cost factors are for both installation and long term maintenance. An elaborate, high quality landscape plan that may initially meet all the requirements of a sophisticated objective can soon deteriorate to an eyesore if maintenance is done infrequently or with little knowledge of proper plant care, Continuity between businesses can be achieved by having similar designs around business signs. The use of native limestone planters with seasonal flowers and salt tolerant shrubs could be a common element between businesses that would create a rhythm and a sense of order to the area

#### H. Lighting

Objective: Incorporate lighting into site design which will make the area more attractive and safer after dark.

Lighting is obviously important to businesses with a nighttime trade such as restaurants, theaters or bowling alleys. But other retail operations such as grocery or convenience stores typically also keep later hours. With sunset being very early in winter and during peak Christmas shopping time, and commuters passing through the area between 5:00 and 7:00 pm, other retail operations may want to consider lighting their store fronts and parking areas to attract shoppers.

- Lighting of off-street parking areas should be designed to reflect light away from adjacent residential properties.
- Lighting at parking lots should provide illumination adequate for security.
- Lighting location and levels should respond to site features such as steps, ramps, walkways and building entrances.
- Light posts should be placed so that they do not create hazards for pedestrians or vehicles.
- The design of exterior building illumination should avoid exposed light fixtures. Flashing or moving lights should not be permitted.

## I. Signage

Objective: Establish a uniform signing system that effectively provides essential information to approaching motorists and draws people into the shopping areas.

Of all the design elements found in commercial corridors, signs have one of the strongest impacts on the perceived quality and appearance of the individual businesses and the commercial area as a whole. Careful consideration is necessary to ensure that signage provides a positive identity for the Mapledale commercial area.

Signage is the first clue that motorists receive as to what businesses can be found on the sides of the roads. Driving at a potential speed of 45 miles per hour, the motorist needs time to read the sign, make a decision to stop, slow the car down and then locate and make the turn into the appropriate driveway. Once in the driveway, more signage is needed to guide the motorist, who will then become a pedestrian, to the final destination.

Business-related signs should be restricted to two types of identification signs. The first is a main identification sign for each lot or development which identifies the development from the street. The second type of sign is a smaller, building-mounted identification sign which identifies individual businesses from the parking area

### 1. Main Identification Signs

At a driving speed of approximately 45 miles per hour, the driver is moving about 66 feet per second. Even if it only takes 2.5 seconds to read a sign, the distance traveled while reading is close to 165 feet. If the driver should decide to stop in, the distance then traveled while showing down is about 334 feet. This results in a total distance of almost 500 feet traveled while a motorist reacts to a sign.

This information suggests that graphic simplicity is crucial. The main identification sign needs to be simple and legible to the motorist up to 500 feet away for safe and ample reaction time. To be legible at this driving speed, the size of the copy should be around 1 inch tall for every 65 feet traveled. At a distance traveled of 500 feet, the copy needs to be about 7.7 inches tall.

- Main identification signs should be located as close to the main entrance serving the development identified as reasonable. This will help motorists find their way and also help to highlight the driveway. The location of the sign, however, should in no way obscure sight lines needed by drivers to safely exit and enter the site.
- Generally only one main identification sign should be allowed per development. If a development has more than one driveway entrance, or if a group of parcels share a couple of driveways, one driveway should be designated as the main entry and receive the main identification sign. Smaller signs of similar design may be placed at other driveways serving the development.
- The information included on the main identification sign should be restricted to the minimum

needed for business identity. Signs for developments with only one business should contain only the business name and address. Signs for developments with more than one business should include the name and address of the overall development, if there is one, and then in smaller text, a listing of the names of individual businesses found in the development.

- Advertising by product manufacturers and suppliers should not be permitted on the main identification sign.
- If permitted, illustrations and symbols should be created specifically for outdoor use and not merely enlarged from other media. For example, a logo used effectively on business letterhead may be too intricate for an exterior sign.
- Main identification signs should be a minimum of 3 and a maximum of 12 feet high with total sign face area no larger than 72 square feet. Sign thickness should not exceed 18 inches, but should not be so thin as to appear flimsy.
- Signs should not have information located less than 3 feet off the ground to allow for snow accumulation in winter.
- The sign shape should be kept simple and regular.
- Text should be written in a style that is simple and easy to read, such as Helvetica. Avoid script and complicated lettering styles.
- Signs should include no more than three colors and two lettering styles. At least one of the sign's colors should match the predominant building color in the development.
- Signs should be composed of durable weather resistant, architectural -quality materials with a long life-span. Avoid signs which look home-made or have a residential character,
- Sign fabrication and installation should be by a qualified, experienced professional.
- Internal illumination is preferred for main identification signs because it creates less glare and stray light shining over or around the sign.
- Remote illuminations should be shielded, shielded or directed so that it does not adversely affect surrounding properties or the vision of motorists and pedestrians.
- Signs with moving parts or blinking, flashing or fluttering lights should not be allowed, except for time or temperature signs.
- Electrical elements such as wires, conduits, junction boxes transformers, ballasts, switches and panel boxes should be concealed from view.
- Structural supports should be enclosed and not visible.
- All visible sides and edges should be finished.

- Signs which advertise businesses and services no longer available should be removed.
- Gasoline service stations should be permitted to display rate and price information on the main identification sign, providing that the area displaying prices does not exceed 30% of the total permitted sign face area.

## 2. Building-Mounted Business Identification Sign

Once the motorist has successfully turned off the highway at the appropriate location, he or she must then be directed to individual businesses. Building-mounted signage should be used to identify each business and its entrance from the driveway, parking area and walkways.

- When more than one business occupies a building, individual signage is essential to identify which entrances lead to which businesses.
- Since it is viewed from much closer distances and at much slower speeds, building sign design can be more personal and slightly more elaborate.
- Only one projecting sign per business should be permitted.
- Flat signs should be placed parallel to the face of the building and allowed to project no more than 18" beyond the primary surface of the building.
- Separate cut-out letters/logos and signs painted directly on the building or applied to a building surface may be used and should be subject to the same regulations as flat signs.
- Awning signs and symbols which are designed, painted, or sewn onto awnings should be permitted.
- Signs should be prohibited on the fronts of buildings above the second floor window sill line. They should be no lower than the top of a display window head or an 8' height, whichever is lower. Signs should not be located on the roofs or on the side walls of buildings.
- A format review separate from, but in addition to, the architectural review should be required of all proposed new signage to ensure its compatibility with the building's overall architectural character.

## 3. General

- Discourage signs that are significantly larger than, or out of proportion with, those on adjacent or nearby properties.
- An integrated sign design scheme should be required for new planned unit developments, shopping centers and office complexes.
- Prohibit billboards.

- Temporary signs; plastic flagging and other advertising paraphernalia should be discouraged. If allowed, a permit procedure with a time limit should be strictly enforced by the Town.

#### J. Architecture

Objective: There are diverse existing buildings in the Route 12 Corridor. Capitalize and expand upon this diversity. Individual existing businesses can continue to upgrade and improve their facilities as their individual and general economic conditions warrant. There should be encouragement from the Town to do this,

When properly planned, the varied and various buildings that comprise the Route 12 commercial corridor can create the visual unity which will help symbolize the strong development and growth of this area. Sensitive design and building site planning will enhance the corridor and community image. On the other hand, improperly designed/planned building development can epitomize the worst in the built environment.

Compatibility with the existing vernacular architecture is the basic principle of good design necessary in achieving an attractive and cohesive corridor. Requiring the use of appropriate and durable materials for construction will add to their longevity and appearance while helping to reinforce the importance of their use. A description of key architectural factors are offered as a frame of reference for property owners and their design professionals in making decisions that effect both the visual as well as physical aspects of the built environment. These include the following:

- Scale. Except for a few small buildings, new construction should be a mixture of one and two story structures and a maximum of three stories.
- Mass. Simple massing which reflects the vernacular style should be used. Steeper roof pitches with well defined stepping facades and recesses will add interest and unity.
- Form. Small and medium sized structures should express the prevalent gable and hip pitched roofs. With larger buildings consideration should be given to using design elements which achieve the appearance of a complex of smaller buildings.
- Proportions. The proportions of new construction should follow the guidelines associated with scale, mass and form. Any large scaled buildings, however, should be primarily horizontal in emphasis.
- Openings. When the building program supports their use, windows should be articulated by a series of separate single openings or a group of multiple openings.
- Entrances. Recessed or projected vestibules with suitable overhead weather protection should be utilized. Canopy and entrance elements should have steeply pitched roofs.
- Materials. Durable building materials which blend into the predominant exterior wall surfaces of the region should be chosen,
- Colors. Color selection should be made on the basis of aesthetic unity and to articulate special

elements of design.

- Display windows should be incorporated into the building's form and architectural style.
- Avoid improperly detailed or out of scale materials which cheapen the appearance of the establishment and lower the overall standards at the corridor.
- Encourage single story covered walkways and entries to form an appropriate pedestrian scale for small retail centers.
- Of all the design elements in the built environment, individual building design, maintenance and durability have the strongest impact on the perceived quality and appearance of the corridor as a whole.
- Orient entrances perpendicular to parking. Define and accent entrances.
- Exterior night lighting of buildings and parking lots should provide illumination adequate for security and enhance the architectural theme.
- Locating buildings close to the roadway will contain views and provide a sense of place.

#### K. Community Entryways

Objective: Establish entryways into the Mapledale Commercial Area which let motorists know that they have indeed arrived some place that is worthy of slowing down for and visiting.

Route 12 is one of the primary entrance routes into the community as well as a gateway to the north country. The Mapledale area therefore has an important role in conveying first impressions to visitors and in shaping community identity for local residents.

- Attractive welcome signs which identify the shopping district should be installed at both the north and south ends of the area.
- The welcome signs should be designed with community character in mind.
- Welcome signs should be composed of natural, architectural-quality materials set in an attractive planting design.
- The name of the area, a brief statement or message and perhaps a logo or symbol should be the only information on the welcome sign. Directional or traffic information should be located on other signs.
- A long, low sign is preferable to a tall, pylon type of sign. The sign face should be at least 3 feet off the ground and be no taller than 8 feet, It may be up to 20 feet long. The sign should be set on a base rather than supported by legs for a more substantial appearance.

## L. Summary

There are many ways of fulfilling these objectives and following these guidelines. Developers should always consider enlisting the aid of professionals when making architectural, site or sign design decisions.

These guidelines help developers and planners to evaluate designs and consider alternate ideas and solutions in design problems. Cooperation will be the key to reducing the existing chaos and confusion. Simply subtracting some of the signs, flags, merchandise and other roadside clutter would improve the corridor immediately.

For illustrative purposes only, an example of how these guidelines might be applied to improve existing conditions was prepared for the southeast section of the corridor from Bass Shoe to the Sunoco Station. It is imperative to remember while considering this illustration that it only portrays a conceptual application of some of the guidelines and is not intended as a detailed design solution. The point of preparing this illustration was to visually depict, in a real-life situation that is familiar to local townspeople, how access, circulation, traffic safety, visibility and aesthetics can all be improved by following the site design guidelines presented in the study.

The following ideas are expressed in the concept plan:

1. Access and traffic safety are improved by developing three clearly visible entrances that are well-defined with curbing, landscaping and signage,
2. Organizing parking, drives and sidewalks and defining them with curbs, planting medians and striping makes the site circulation safer and easier to understand. Relocating parking to the sides and backs of the buildings opens up views to the store fronts.
3. Increasing landscaping and open space in the front yards improves visibility to the businesses and aesthetic appeal throughout the corridor.
4. A continuous sidewalk network through the entire area encourages window shopping and reduces traffic movements on site.
5. Landscaping at the sides and backs of the buildings improves screening and the overall look of the corridor.

The east side of Route 12 is currently characterized by two more clusters of commercial development. North of the Bass to Sunoco group is a stretch of commercial development from Barney Town to the Flotilla Restaurant. Commercial development is also continuous from Fischer Auto Parts to the Northern Villa Restaurant. Although they consist primarily of stand-alone developments, a similar assessment of these two clusters might offer more ideas regarding how closely related businesses could work together to be more attractive to shoppers.

Development on the west side of Route 12 is typically more spread out on larger lots. These developments will operate better in a stand-alone manner with appropriate driveway and front yard design.



# SIGN PERMIT APPLICATION

- Town of Trenton
- Village of Holland Patent

App. # _____
Date filed _____
Fee Paid _____ Check # _____
Received by _____
Parcel # _____
Zoning District _____

Before completing this form, applicant should carefully review the Town of Trenton Sign Law and the Development Guidelines for Site Plan Review, or the respective Village's Sign Laws. The Sign Laws are available online under "Laws" at [www.town.trenton.ny.us](http://www.town.trenton.ny.us) (Town of Trenton) & [www.village.holland-patent.ny.us](http://www.village.holland-patent.ny.us) (Village of Holland Patent). Regulations are also available at the respective Town and Village Clerk's Offices. Applications not completely filled out or not in complete compliance with the law cannot be approved by the Enforcement Officer or the Planning Board. This completed form, accompanied by a \$15 application fee payable to Town of Trenton should be returned to the Town Clerk, Trenton Municipal Center, 8520 Old Poland Road, PO Box 206, Barneveld, NY 13304.

Applicant \_\_\_\_\_ Telephone/Email \_\_\_\_\_

Mailing Address \_\_\_\_\_

Property Owner \_\_\_\_\_ Telephone/Email \_\_\_\_\_

Mailing Address \_\_\_\_\_

*If permit applicant is other than the owner of the property on which the proposed sign is to be erected, written consent of the property owner or copy of contract agreement between owner and sign contractor shall accompany this application.*

## **TYPE AND LOCATION OF SIGN** [Check where applicable]

- |                        |                      |                             |
|------------------------|----------------------|-----------------------------|
| _____ New Sign         | _____ Permanent Sign | _____ Wall Sign             |
| _____ Existing Sign    | _____ Temporary Sign | _____ Freestanding Sign     |
| _____ Replacement Sign | _____ Portable Sign  | _____ Billboard Sign        |
| _____ Projecting Sign  | _____ Roof Sign      | _____ Other (explain) _____ |

Location for proposed sign (address): \_\_\_\_\_

Describe placement and location of sign on property, building or structure: \_\_\_\_\_

Proposed sign will face which direction(s)? \_\_\_\_\_

**IMPORTANT: Attach a plot plan or accurate site map showing all existing structures, freestanding signs, other landmarks, and the setbacks and distances between them. Photographs should be included for existing signs.**

(OVER)



## **Chapter 67**

### **SIGNS**

- § 67-1. Purpose.**
- § 67-2. Definitions.**
- § 67-3. General regulations.**
- § 67-4. Specific sign regulations.**
- § 67-5. Permitted signs in various districts.**
- § 67-6. Construction standards.**
- § 67-7. Design guidelines.**
- § 67-8. Nonconforming signs.**
- § 67-9. Removal of signs.**
- § 67-10. Review and appeals; variances.**
- § 67-11. Penalties for offenses.**
- § 67-12. Interpretation.**
- § 67-13. Supersession.**

**[HISTORY: Adopted by the Town Board of the Town of Trenton 6-8-1988 by L.L. No. 1-1988. Amendments noted where applicable.]**

#### **GENERAL REFERENCES**

Zoning — See Ch. 86.

#### **§ 67-1. Purpose.**

- A. The purpose of this chapter is to provide standards to safeguard life, health, property and public welfare by

controlling the number, location, construction, installation, illumination and maintenance of all signs and sign structures in the Town of Trenton.

- B. It is the further purpose of this regulation of signs to control the quality and quantity of signs so as to enhance the identification of the various business and professional enterprises in the town and improve the visual quality of the community.

**§ 67-2. Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

**BUILDING FRONTAGE** — That side of a building or structure, which may or may not be facing a road, considered to be the primary entranceway for pedestrian traffic entering or exiting the building or a store within the building.

**SHOPPING CENTER** — A group of at least three or more nonresidential businesses planned, developed, owned or managed as a unit, whether there are common walls between the various businesses or not, with off-street parking provided on the center's site.

**SIGN** — Any advertising medium, structure or device which advertises, directs or calls attention to any business, article, substance or service, and includes residential nameplates and numbers. A "sign" may be painted, printed, pasted, posted or affixed to any building, billboard, wall, fence, railing, vehicle, natural object or structure of any kind, on real property or upon the ground itself. This definition encompasses flags, banners, neon tubes, fluorescent tubes or other artificial lights or strings of lights outlining or hung on any part of a structure, building or lot for the purposes mentioned heretofore, but does not include the flag or insignia of any governmental, civic, professional, religious or other similar organization.

SIGN, BILLBOARD — An advertising sign, structure or symbol erected and maintained by an entity who may or may not be engaged in the sale or rental for profit of space to a clientele of manufacturing service or commercial enterprises, upon which space there is displayed by means of painting, posting or other method a business, commodity or service not necessarily made, produced, assembled, stored or sold from the lot or premises upon which the advertisement is displayed.

SIGN, BUSINESS — Any sign which directs attention exclusively to a permitted business, profession or industry conducted upon the premises on which the sign is located or to a primary product, commodity or service sold by such business or industry, and shall be deemed an integral part of such business or industry.

SIGN, DIRECTIONAL — A sign limited to providing information as to the location of an activity, business or event.

SIGN, DIRECTORY — A listing of two or more business enterprises, consisting of a matrix and sign components.

SIGN, FLASHING — An illuminated sign on or in which the artificial lighting is not maintained stationary or constant in intensity or color at all times while in use.

SIGN, FREESTANDING — Any sign not attached to or part of any building or structure, separate therefrom and permanently affixed by any other means in or upon the ground. Included are pole signs, pylon signs and masonry wall-type signs. Billboards are not included in this definition.

SIGN, ILLUMINATED — Any sign illuminated by electricity, gas or other artificial light from either the interior or the exterior of the sign and which includes reflective and phosphorescent light, paint or tape.

SIGN, PORTABLE — A sign, whether on its own trailer, wheels or otherwise, designed to be movable and not structurally attached to the ground, a building, a structure or another sign.

SIGN, PROJECTING — Any sign which is attached to a building or other structure and extends beyond the line of said building or structure or beyond the surface of that portion of the building or structure to which the sign is attached and not parallel to the face of the building.

SIGN, REPRESENTATIONAL — A three-dimensional sign built so as to physically represent the object advertised.

SIGN, ROOF — Any sign erected, constructed and maintained wholly upon or above the roofline of any building, with the principal support on the roof or eave structure.

SIGN, SURFACE AREA OF — The entire area within a perimeter composed of not more than two rectangles, circles, ovals or any other geometrical shapes which enclose each element or block of letters or extreme limits of the message or announcement or which form the outside shape (including any frame) or form an integral part of the display. The structure supporting a sign shall be excluded unless the structure is designed in a way to form an integral background for the display.

SIGN, TEMPORARY — A sign related to a single activity or having a duration of not more than 30 days.

SIGN, WALL — A sign which is painted on or attached to the outside wall of a building, with the face of the sign in the plane parallel to such wall. Individual letters painted on or attached to the wall are considered "wall signs."

SIGN, WINDOW — A sign visible from a sidewalk, street or other public place, painted or affixed on glass or other window material or located inside within four feet of the window, but not including graphics in connection with customary window display of products.

### **§ 67-3. General regulations.**

- A. Procedures for sign permits. After the effective date of this regulation and except as otherwise herein provided, no

person shall erect or enlarge or structurally alter any sign or sign structure, except those exempt under this chapter (§ 67-4A), without first obtaining a permit therefor from the Enforcement Officer. Application for the permit shall be made according to the following regulations:

- (1) Applications for sign permits shall be obtained from the Town Clerk by the owner, lessee or erector and be accompanied by a drawing showing dimensions, proposed design, the legend, colors, lighting, materials, structural details and a tape or plot location map delineating the location of buildings, parking areas, other signs on the same property, frontage of each unit and/or any fences or other obstructions in relation to the designated location of the proposed sign. Lessee- or erector-applicants shall evidence approval of owner for such erections.
- (2) It shall be the duty of the Enforcement Officer, upon the filing of an application for a permit, to examine such plans, specifications and, if necessary, the building or premises upon which the sign is proposed to be erected. If it shall appear that the proposed sign is in compliance with all the requirements of this chapter and all other laws, the Enforcement Officer shall issue a permit for the proposed sign.
- (3) No permit issued under the terms of this section shall be transferable to any person prior to the installation of the sign.
- (4) A sign permit shall become null and void if the work for which the permit was issued has not been started within a period of six months after the date of issue of the permit.
- (5) The Enforcement Officer shall obtain copies of all necessary certificates of compliance from the Uniform Fire and Building Codes Inspector.

- B. General provisions. The following regulations shall apply to all signs:
- (1) All signs shall be properly maintained. Such signs, together with their supports, shall be kept in good repair. The display surfaces shall be kept neatly painted at all times. The Town Board may order the removal of any sign that is not maintained in accordance with the provisions of this chapter.
  - (2) No sign shall consist of banners, pennants, ribbons, streamers, spinners or similar moving, fluttering or revolving devices.
  - (3) The height of a sign and its structure may not exceed 20 feet, except for a roof sign, which may not exceed eight feet in height, measured from the bottom of the sign to the highest point on the top. Exceptions to this are billboards and directory signs.
  - (4) All signs shall have sufficient horizontal and vertical clearance so as to provide clear and unobstructed visibility for vehicles entering and leaving the highway.
  - (5) All signs shall be securely attached to a building or to other structures which are judged to be structurally sound by the Enforcement Officer.
  - (6) Permitted signs may be located anywhere on the premises except as restricted herein or by the Zoning Ordinance.<sup>1</sup>
  - (7) Illuminated signs or lighting devices may be permitted, provided that such signs employ lighting of constant intensity. No sign shall be illuminated by or contain flashing, intermittent, rotating or moving lights except to show time and temperature.

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1. Editor's Note: See Ch. 86, Zoning.



- (8) In no event shall an illuminated sign or lighting device be so placed or directed as to permit beams and illumination therefrom to be directed or beamed upon a public street, highway, sidewalk or adjacent premises so as to cause glare or reflection that may constitute a traffic hazard or nuisance to adjoining properties.
- (9) No sign shall be erected in such a manner as to confuse or obstruct the view of any traffic sign, signal or device or obstruct the visibility for vehicles entering or exiting highways.
- (10) No sign of any size or description, except traffic signs placed by public agencies, may be erected, placed, maintained or extended into the right-of-way of any street or highway.
- (11) No sign shall obstruct any fire escape or any door or window leading thereto, nor shall any sign be attached to a fire escape.
- (12) No sign shall obstruct the view of any other sign from the roadway.

**§ 67-4. Specific sign regulations.**

- A. Permit-exempt signs. The following types of signs may be erected and maintained without permits and fees, provided that such signs comply with the general requirements of the sign regulations and additional regulations listed below:
  - (1) Historical markers, tablets and statutes, memorial signs and plaques, names of buildings and dates of erection when cut into any masonry surface or when constructed of bronze, stainless steel or similar material; and emblems installed by government agencies, religious or nonprofit organizations, not exceeding six square feet.

- (2) Flags and insignia of any government except when displayed in connection with a commercial promotion.
- (3) Directional signs for the convenience of the general public, identifying public parking areas, fire zones, entrances and exits and similar signs, internally illuminated or nonilluminated, not exceeding six square feet per face.
- (4) Nonilluminated warning, private drive, posted or no-trespassing signs not exceeding two square feet per face.
- (5) Number and nameplates identifying residents, mounted on a house, apartment or mailbox, not exceeding two square feet in area.
- (6) Lawn signs identifying residents, not exceeding four square feet per side. Such signs are to be nonilluminated except by a light which is an integral part of a lamppost if used as a support, with no advertising message thereon.
- (7) Private owner merchandise sale signs for garage sales and auctions, not exceeding 14 days. No such sign shall exceed six square feet.
- (8) Temporary nonilluminated "for sale," "for rent," real estate signs and signs of similar nature concerning the premises upon which the sign is located. In a residential zoning district, one sign not exceeding six square feet per side. In a Commercial Business District, one sign not exceeding 32 square feet, set back at least 15 feet from all property lines and streets. All such signs shall be moved within 10 days after the sale, lease or rental of the premises. No more than two such signs may be placed upon the property.

- (9) Signs for promotion of a roadside stand shall be allowed both on and off premises. Approval for such signs will be made by the Zoning Board of Appeals and shall be made as part of the conditional use application and review process as provided in the Zoning Ordinance in § 86-24B(3)(a). Signs may not be placed in any road right-of-way (R.O.W.), and written permission from the owner of the property where any off-premises signs are placed must be provided as part of the application. **[Amended 6-13-2007 by L.L. No. 9-2007]**
- (10) Holiday decorations, including temporary nonilluminated window signs and posters not exceeding 50% of the window surface.
- (11) Directional signs for meetings, conventions and other assemblies.
- (12) One nonilluminated sign not exceeding 16 square feet in the residential districts nor 32 square feet in the business districts, listing the architect, engineer, contractor and/or owner, on the premises where construction, renovation or repair is in progress. Such signs shall be removed within 10 days upon completion of the work.
- (13) Political posters, banners, promotional devices and similar signs not exceeding 32 square feet, provided that:
  - (a) Placement shall not exceed 45 days prior to an election.
  - (b) The name(s) of the person(s) responsible for the removal of the sign shall be identified.
- (14) Temporary signs advertising a special event for a school, charitable or civic organization, provided that such signs shall not exceed 32 square feet and are removed within 48 hours after the event.

- (15) Any sign advertising the price of fuel placed above a fuel pump at a gasoline or service station. Such signs shall not exceed four square feet. **[Added 8-11-2004 by L.L. No. 3-2004<sup>2</sup>]**
- (16) Any temporary sign(s) advertising a certain type of crop located upon an agricultural operation. Such temporary sign(s) shall be removed after the crop has been harvested, and such sign shall not be greater than six square feet. **[Added 8-11-2004 by L.L. No. 3-2004]**

B. Wall signs.

- (1) Wall signs shall not extend beyond the ends or more than six feet over the top of the walls to which attached.
- (2) Wall signs shall not extend more than 12 inches from the face of the building to which attached.
- (3) Any part of a sign extending over pedestrian traffic areas shall have a minimum clearance of seven feet six inches.
- (4) Wall signs shall have a total surface area not exceeding 30% of the total area of the wall to which the signs are attached.
- (5) The total area of individual letters printed on or attached to the wall spelling out individual words or sentences shall be the entire area within a perimeter composed of not more than two squares, rectangles, circles, ovals or any other geometrical shapes which enclose each block of letters.

C. Projecting signs.

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2. **Editor's Note: This local law also repealed former Subsections A(15), regarding temporary nonilluminated signs advertising prices or promoting a product; A(16), regarding signs that advertise fuel prices above a fuel pump; and A(17), regarding temporary signs advertising a crop, located on an agricultural operation.**

- (1) No projecting sign may be higher than the roofline.
- (2) The exterior edge of a projecting sign shall extend not more than 10 feet from the building face.
- (3) No part of a projecting sign shall extend into vehicular traffic areas, and any part extending over pedestrian areas shall have a minimum clearance of seven feet six inches.
- (4) No projecting sign may be larger than 100 square feet.
- (5) No projecting sign shall be closer than 15 feet to the corner of a building located at a street intersection.
- (6) No projecting sign may be closer than 20 feet to any other projecting sign.
- (7) In determining the total area of a projecting sign, only the width and length of one side of the sign is used.

D. Freestanding signs.

- (1) No freestanding sign structure shall be located closer than 25 feet to any side property line.
- (2) If for any reason the property line is changed at some future date, any freestanding sign made nonconforming thereby must be relocated within 90 days to conform to the minimum setback requirements.
- (3) No freestanding sign shall be more than 20 feet in height above the road level or finished grade, whichever is greater. Such height shall be measured vertically from the established average grade directly below the sign to the highest point of the sign, including supporting sign structures.

- (4) No freestanding sign shall extend over or into the public right-of-way.
  - (5) Freestanding signs under which a pedestrian walkway or driveway passes must have a ten-foot vertical clearance.
  - (6) The surface area of a freestanding sign shall not exceed 130 square feet on either side of the sign.
  - (7) No freestanding sign shall be located closer than 50 feet to any other freestanding sign.
  - (8) In determining the total area of a freestanding sign, only the length and width of one side of the sign is used.
- E. Portable signs. Portable signs are not allowed, except: **[Amended 8-11-2004 by L.L. No. 3-2004]**
- (1) A new business or a business in a new location awaiting installation of a permanent sign may utilize one portable sign for a period of not more than 60 days or until installation of a permanent sign, whichever occurs first. Such portable sign must meet all the construction standards of the Town and may not be larger than 16 square feet.
  - (2) A-frame temporary portable signs are allowed under the following conditions:
    - (a) Signs may not exceed 16 square feet on each side and may not be taller than five feet in height.
    - (b) Signs shall be self-supporting, neatly constructed, lettered and maintained and must be unlit.
    - (c) Signs shall not obstruct visibility for traffic entering and leaving the highway and shall not be placed in the right-of-way.

- (d) Signs may be placed on a parcel from one week prior to Memorial Day to one week after Labor Day and require a permit, are fee exempt, and are limited to one sign per parcel. Permits are approved by the Zoning Enforcement Officer.
- (e) Signs may be placed on a parcel between one week after Labor Day to one week prior to Memorial Day and require a permit, a fee, and Planning Board approval, which shall include a time limit for installation and removal, and are limited to one sign per parcel.
- (f) At any time where more than one temporary portable sign is sought on a parcel, application shall be made to the Planning Board pursuant to site plan review, which may, in its discretion, grant a permit for such sign if sign regulations are otherwise met and the sign is in keeping with the site plan development guidelines. Such signs are not fee exempt.

F. Roof signs.

- (1) Each business establishment or commercial use shall be permitted one roof sign.
- (2) Such sign shall be securely attached to the roof or eave structure.
- (3) Such sign shall have a total surface area not exceeding one square foot in area for each linear foot of frontage of the business establishment on the principal street on which the building fronts.
- (4) No roof sign shall be larger than 100 square feet in area.
- (5) No roof sign shall exceed eight feet in height.
- (6) In determining the total area of a roof sign, only the width and length of one side of the sign is used.

## G. Billboards.

- (1) The size of all billboards shall not exceed 300 square feet and such billboards shall not be higher than 30 feet from the road level or from the finished grade, whichever is greater.
- (2) No billboard may be attached to any building or vehicle.
- (3) All billboards shall identify the name and address of the owner, person or corporation responsible for the general requirements and maintenance of such sign as outlined in this chapter.
- (4) No billboard may be located closer than 200 feet to any other billboard.
- (5) In determining the total area of a billboard, only the width and length of one side of the billboard is used.

**§ 67-5. Permitted signs in various districts.**

A. Signs permitted in Residential Districts R-H, R-R, R-A, R-L and R-M<sup>3</sup> are as follows: those signs listed under § 67-4A (exempt signs which require no permit) and the following signs, which do require a permit:

- (1) Where home occupation is permitted by the Zoning Ordinance, nameplate or professional signs may be used to identify the home occupation. Such signs shall not exceed six square feet in area and may be building-mounted or ground-mounted.
- (2) Signs or bulletin boards customarily incident to places of worship, libraries, museums, social clubs or societies may be erected on the premises of such institutions. One such sign or bulletin board not

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3. Editor's Note: See Ch. 86, Zoning.



exceeding 32 square feet may be erected for each entrance on a different street or highway.

- (3) For multiple dwellings or apartment developments, signs advertising availability of several dwelling units, not exceeding 32 square feet. One such sign shall be permitted for each entrance on a different street or highway.
- (4) Signs for recreational areas, day camps, golf clubs, ski areas and other similar facilities permitted by the Zoning Ordinance shall be permitted, not to exceed 32 square feet. One such sign shall be permitted for each entrance on a different street or highway.
- (5) Signs necessary for the identification, operation or production of a public utility, not exceeding 32 square feet, may be erected on the premises of such public utility.
- (6) A sign stating the name of an agricultural operation or the owners of the same, located upon the premises. Such sign shall not exceed 32 square feet.
- (7) For multiple dwellings or apartment developments, signs stating the name of the dwelling or development, not to exceed 32 square feet. One such sign shall be permitted for each entrance on a different street or highway.
- (8) A sign necessary for identification of a nonconforming business located in a residential district. Such sign may not exceed 32 square feet in area.
- (9) A sign stating the name of a religious, social or civic building or structure and giving directions to such building or structure, not exceeding 32 square feet in size.

- (10) A sign advertising the sale of lots or homes in an approved subdivision, located in the subdivision, not to exceed 32 square feet in area. One such sign shall be allowed for each entrance/exit and shall be removed upon the initial sale of all lots. All signs shall be subject to review by the Town Planning Board. **[Added 11-9-1994 by L.L. No. 5-1994]**
- B. Signs in C-B Commercial Business Districts. **[Amended 5-8-1996 by L.L. No. 1-1996; 4-9-1997 by L.L. No. 2-1997]**
- (1) All applicable signs allowed in Residential Districts R-H, R-R, R-A, R-L and R-M are permitted in C-B Commercial Business Districts in accordance with the general provisions herein and as set forth in the site plan design guidelines adopted by the Town Board.
  - (2) Business signs are permitted in C-B Commercial Business Districts upon review and approval of the Planning Board in accordance with the general provisions herein and as set forth in the site plan design guidelines adopted by the Town Board, except as provided for under § 67-4E(2)(d). **[Amended 11-14-2007 by L.L. No. 12-2007]**

**§ 67-6. Construction standards.**

All signs shall meet the appropriate standards of the New York State Uniform Fire Prevention and Building Code (9 NYCRR 1200).

**§ 67-7. Design guidelines.**

A. General provisions.

- (1) Signs should be designed to be compatible with the surroundings and appropriate to the architectural character of the buildings on which they are placed.

Sign panels and graphics should relate with and not cover architectural features and should be in proportion to them.

- (2) Signs should be appropriate to the types of activities they represent.
  - (3) Layout should be orderly and graphics should be of simple shape, such as rectangle, circle or oval.
  - (4) The number of colors used should be the minimum consistent with the design.
  - (5) Illumination should be appropriate to the character of the sign and surroundings.
  - (6) Groups of related signs should express uniformity and create a sense of harmonious appearance.
  - (7) Sign panels and graphics should be tasteful and conform to generally accepted standards of the community.
  - (8) In all commercial districts, signs must also meet the site plan design guidelines adopted by the Town Board. **[Added 6-13-2007 by L.L. No. 5-2007]**
- B. If the Zoning Enforcement Officer determines that a proposed or existing sign fails to meet these design guidelines, he/she may request the Zoning Board of Appeals to review it. The Zoning Board of Appeals may instruct the Enforcement Officer not to issue the permit or it may instruct such Officer that the proposed or existing sign is in violation of, the above criteria.

**§ 67-8. Nonconforming signs.**

In the event that a sign lawfully erected prior to the effective date of this chapter does not conform to the provisions and standards of this chapter, then such sign should be modified to conform or be removed according to the following regulations:

- A. If a sign includes such features prohibited under this chapter, then such sign shall be modified by its owner to comply or be removed within 30 days after the owner receives written notice from the Enforcement Officer to so comply.
- B. If an owner has not complied, as necessary, with the above provision and such sign remains in nonconformity, he may apply for a permit to maintain the nonconforming sign for a fixed period based on the remaining undepreciated useful life of such sign, as determined by the appropriate depreciation formula (e.g., value standards in use by New York State Department of Transportations. Application for such permit shall be filed with the Enforcement Officer within six months of the effective date of this chapter and shall include satisfactory proof of the date of the erection of said sign. A permit to continue a nonconforming sign shall in no case exceed five years.
- C. In the event that the owner of a nonconforming sign does not apply for a permit to maintain the nonconforming sign the Enforcement Officer shall give notice by certified mail to the owner that the sign must be removed at the end of the amortization period set forth below. The amortization period shall begin running on the date notice is mailed.  
**[Amended 9-10-2003 by L.L. No. 7-2003]**

<b>Fair Market Value on Date of Notice of Removal Requirement</b>	<b>Minimum Years Allowed</b>
Under \$1,999	3
\$2,000 to \$3,999	4
\$4,000 to \$5,999	6
\$6,000 to \$7,999	7
\$8,000 to \$9,999	9
\$10,000 and over	10

**§ 67-9. Removal of signs.**

Any sign existing on or after the effective date of this chapter which no longer advertises an existing business or product shall be removed.

- A. If the Enforcement Officer shall find that any sign regulated in this chapter is not used, coded in advertising, is abandoned unsafe or insecure or is a menace to the public, the inspector shall give written notice to the named owner of the land upon which it is located, who shall remove or repair the sign within 30 days from the date of notice. If the sign is not removed or repaired within said time period, the Enforcement Officer shall revoke the permit issued for such sign. The Town Board may order the removal of the sign and assess the owner for all costs incurred for such service.
- B. The Town Board may cause any sign which is a source of immediate peril to persons or property to be removed immediately and without notice.

**§ 67-10. Review and appeals; variances.**

- A. The Town Board hereby grants authority to the Zoning Board of Appeals to hear complaints of any person aggrieved by a decision of the Enforcement Officer relative to the provisions of this chapter. The appeal shall be in writing to the Zoning Board of Appeals and shall comply with all procedural requirements prescribed by such Board, as outlined in the Zoning Ordinance.<sup>4</sup>
- B. In granting a variance from the provisions of this chapter, the Board of Appeals must find that the variance is necessary for the reasonable use of the land or buildings, that granting the variance is in harmony with the general purposes and intent of this chapter, that such will not be injurious to the neighborhood character or otherwise

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4. Editor's Note: See Ch. 85, Zoning.

detrimental to the public welfare, that denial of the variance would result in practical difficulty or unnecessary hardship to the applicant and that the proposed sign does not interfere with the lawful use and aesthetic enjoyment of the public highway or of adjacent property.

**§ 67-11. Penalties for offenses.**

- A. Any person, firm or corporation, whether as owner, lessee, agent or employee, who proceeds to erect, reerect, construct or structurally alter any sign without first applying for and obtaining the necessary permit or who in any other way violates any provision of this chapter, shall be guilty of a violation and, upon conviction, shall be subject to fine not exceeding \$200 and not less than \$50 and/or a jail term not to exceed 15 days. Each week's continuous violation shall constitute a separate, additional violation.
- B. In case of a violation of this chapter, the municipality and its officers may, in addition to any other remedies specifically conferred by law or ordinance, institute any appropriate proceedings to prevent unlawful erection, construction, reconstruction, alteration or use of any sign not in compliance with this chapter.

**§ 67-12. Interpretation.**

In their interpretation and application, the provisions of this chapter shall be held to be minimum requirements, adopted for the promotion of the public health, morals, safety or the general welfare. It is not intended to interfere with, abrogate or annul other rules, regulations or ordinances, provided that whenever the requirements of this chapter are at variance with the requirements of any other lawfully adopted regulations, rules or ordinances, the most restrictive or those which impose the highest standards shall govern.

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**§ 67-13. Supersession.**

This chapter supersedes any previous existing regulations in the Zoning Ordinance or any other regulations relating to signs in the Town of Trenton.

