



Donald Reeb <donreeb@gmail.com>

Re: Stuyvesant signs--Jnauary 4 meeting of the Zoning Board

3 messages

Doug Smith <DSmith293@nycap.rr.com>
To: Donald Reeb <donreeb@gmail.com>

Tue, Jan 3, 2012 at 1:46 AM

Don -

I am sorry to hear about the recent losses of your siblings. That has to be difficult.

I hope your time with visiting with family helps. Put this out of your mind for now.

Doug

On 12/31/2011 5:31 PM, Donald Reeb wrote:

Hi

First--happy new year--we have worked hard and I know that the neighbors appreciate the Association. So---Happy New Year to each and everyone of us.

Attached are some additional comments on the proposed sign. A friend at Town Hall made the file available to me today--I have been in Ohio to attend a funeral.

I will be in Philadelphia on January 4 when the sign proposal is again discussed. Christmas with the Philadelphia family was truncated because of the death in the Springfield family.

I hope that multiple Board members will be able to attend the Zoning Boardf meeting--7:30--Town Hall.

The newer PUBLIC notice--thought it is still dated November 9, 2011---added the following---"It should be noted that at the discretion of the Board, a portion of this request may taker place in the Town Hall parking lot"

I think that Stuyvesant is going to bring a sign to the parking lot to demonstrate it--but I do not know that for sure.

Anyway--here are some more comments-----I will make copies of a few pages from the more recent lawyers submission---dated December 29, 20o11----I have to get it back to Town Hall--for your use if you want them. Just let me know.

I am not suggesting that the comments added by me should be submitted to the ZBA verbatim---but rather used by various Board members, along with earlier comments, to argue against granting the variance.

Thanks..

Don Reeb

Donald Reeb <donreeb@gmail.com>
To: Doug Smith <DSmith293@nycap.rr.com>

Tue, Jan 3, 2012 at 10:41 AM

Thanks Doug

It has been awful--we are again leaving for Ohio tomorrow--please try to be at the ZBA meeting if you can.

Don

[Quoted text hidden]

Doug Smith <DSmith293@nycap.rr.com>

Tue, Jan 3, 2012 at 9:47 PM

To: Donald Reeb <donreeb@gmail.com>

Cc: Alice Torda <tordaa@hotmail.com>, Angie Parsons <aparsons2@nycap.rr.com>, Bill Meehan <billmeehan@hotmail.com>, David Shub <Shub@uamail.albany.edu>, Ellen Manning <ellenmanning1114@verizon.net>, Janet Reilly <kayaks02@verizon.net>, Marian Hoyle <mariannhoyle@nycap.rr.com>, Martha Haraus <haraus@nycap.rr.com>, Paul Haldeman <phaldema@nycap.rr.com>, "White, James D (GE Infra, Energy)" <james.white@ge.com>

I copied the following definitions and regulations from the Town code which I accessed from the Town web site. A very handy reference.

ADVERTISING STRUCTURE

Any notion or advertisement, pictorial or otherwise, and any structure used as, or for the support of, any such notice or advertisement, for the purpose of making anything known about goods, services or activities not on the same lot as said advertising structure.

SIGN

Any advertising medium, structure, planting or device which advertises, directs or calls attention to any business, article, substance or service. A sign may be painted, printed, pasted, posted, suspended from 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.

SIGN, ADVERTISING

Any sign which directs attention to a business, principal commodity, service or entertainment, conducted, sold or offered, elsewhere than upon the premises where the sign is located or to which it is affixed.

SIGN, BILLBOARD OF COMMERCIAL ADVERTISING

An advertising sign, structure or symbol, erected and maintained by an individual or corporation engaged in the sale or rental for profit of space thereon to a clientele of manufacturing, service, or commercial enterprises, upon which space there is displayed, by means of painting, posting or other method, advertising copy describing products or services which are not necessarily made, produced, assembled, stored or sold from the lot or premises upon which the advertisement is displayed.

SIGN, FLASHING

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

SIGN, ILLUMINATED

Any sign which has characters, letters, figures, designs or outline, illuminated by electric lights, neon or luminescent tubing.

So it would seem that the question of whose land the sign is situated on is significant. If it is not Stuyvesant Plaza land, then the Stuyvesant sign - both current and proposed - is not "on the same lot" as the goods, services or activities about which it will be shouting all day and night. So that would make it an **Advertising Sign** as well as an **Advertising Structure**.

I doubt that even Stuyvesant's lawyers would attempt to claim that it would not be an **Illuminated Sign**, but apparently they are not too shy to claim that it would not be a **Flashing Sign**. That should tell us a lot.

But regardless of who owns the land, or whether it is considered a 'flashing' sign, since the lessees of Stuyvesant Plaza

would not be the ones who erected or maintain the proposed sign, but would be the ones whose products or services would be the subject of the advertising copy, the proposed sign would be a **Billboard of Commercial Advertising** - something for which Stuyvesant is paid, either directly or by incorporation into its operational costs which are paid for by the collected rental income - not something that is advertising Stuyvesant Plaza as a retail lessor.

Which brings us to Section 280-26: "Signs"; subsection C: "General Provisions"; item #6:

"No billboard or commercial advertising signs shall be permitted."

It is time for the Town to call a spade a spade - the code is clear, the sign is not permitted.

[Quoted text hidden]
