

**From:** [John Zepko](#)  
**To:** [James Gensel](#)  
**Cc:** [C.J. Randall](#)  
**Bcc:** [Scott Russell](#)  
**Subject:** RE: Dandy - Project Review Committee  
**Date:** Monday, November 21, 2022 8:03:00 AM

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Dear Jamie,

Signs are regulated by Chapter 210 of the Lansing Zoning Code. I've pasted sections I think may have relevancy, and highlighted sections I think may be of particular importance. Understand that the code/zoning enforcement officer is the authority having jurisdiction on this, and mine is only constructive input.

### **COMMERCIAL SIGN DISTRICT**

The B1, B2, and IR land use area classifications as established and mapped in and by Chapter 270, Zoning, of the Code of the Town of Lansing

### **SIGN SQUARE FOOTAGE CALCULATION**

Refers to a method of calculating the measurements, dimensions, and geometric area of a sign pursuant to basic mathematical rules reasonably applied, as follows: i) if a sign is irregular in shape or consists of independent or detached letters or symbols, the area of said sign shall be determined by measuring the area within a regular simple polygon completely enclosing the sign or enclosing such independent or detached letters or symbols as they are intended to be installed; ii) if a sign is regular in shape, by measuring the surface area of the sign, including its frame(s) and border(s); iii) all square footage limitations and similar dimensional rules and regulations herein are to be measured upon and in relation to a single face of the sign if the sign has two basic display sides; and/or iv) if a sign has more than two display sides or surfaces, then the Enforcement Officer shall determine and calculate the total dimensions of the sign by calculating the sum of all display sides or faces unless, in the reasonable determination of the Enforcement Officer, one or more display sides or faces are de minimus and should not be counted in calculating the sign square footage calculation (an example would be a standard two-sided rectangular sign with printing upon the frame of the sign)

### **210-4 Exempt Signs**

A.(4) Temporary signs, including banners, flags, pennants, streamers, ribbons, and mobile or portable signs are allowed where:

- (a) Such signs, in total area, do not exceed 16 square feet;
- (b) Such signs are not emplaced for more than 30 days; and
- (c) Such signs shall be and are removed within seven days from the end of the event, and/or are not re-emplaced within 30 days of their removal, whether in the same or any other nearby location

### **210-5 Rules of general applicability for all signs**

I. Unless expressly otherwise permitted by this chapter, a variance is granted, or unless within a planned sign area:

- (1) For all commercial activity signs and other commercial and business signs, no more than two signs shall be allowed per each premises and the area of each such sign shall not exceed the maximum allowed area for each such sign as based upon its use and location and the requirements of this chapter;

### **210-8 Rules Applicable to commercial sign districts**

A. All non-exempt signs shall require a sign permit. Where and whenever required by this chapter or by any determination or opinion of the Enforcement Officer, certain signs may also be subject to site plan review.

B. All sign square footage calculations and all numerical, dimensional, and area references in this chapter shall apply to each sign; and all non-temporary signs collectively shall not exceed any numerical, dimensional, or area references as stated in this chapter. However, when sign square footage calculations are applied to temporary signs, existing lawful signs and their sign square footage calculations shall be excluded. Thus, and by way of example and not limitation, if Joe's Auto Dealership has a permitted sign at the maximum sign square footage calculation for its premises and wants to place banners to advertise a weekend car sale, such dealership would be limited to a maximum amount of temporary sign(s) square footage as based upon the maximum allowable signage for the premises upon which the dealership is located, without regard to, or any reduction for, the existing and lawful non-temporary signs upon such premises.

C. The following regulations shall apply to all illuminated signs:

(1) Illuminated signs shall not be lit or illuminated from one hour after sunset until sunrise each day; except that business identification signs may remain lit or illuminated during normal business hours.

(2) The illumination of any sign shall employ only light emitting a constant intensity, shall comply to the reasonable extent possible with dark-sky requirements, and shall not emit a light exceeding 0.3 footcandles measured at night.

(3) No illuminated sign shall contain flashing, intermittent, rotating, or moving light, or may otherwise have the appearance of flashing, moving, or scrolling, however the overall static image may periodically change, but no more frequently than every 15 seconds.

(4) In no event shall an illuminated sign be placed, or its light directed, so that the illumination is: i) directed upward; ii) directed at or upon any public right-of-way in any manner which may be reasonably expected to cause, create, or contribute to glare or distracting reflected light; iii) directed at or upon any adjacent occupied building or structure in any manner which may be reasonably expected to cause, create, or contribute to glare or distracting reflected light. The Enforcement Officer shall reasonably determine whether any illuminated sign causes, creates, or contributes to glare or any distracting reflected light as such terms are used in this subsection. In making any such determination the Enforcement Officer may employ dark-sky standards.

(5) All illuminated signs shall be subject to site plan review.

D. Electronic message display signs are allowed only in commercial sign districts and all such signs shall be subject to site plan review.

E. Except for wayfaring signs issued pursuant to a sign permit, no billboards or off-premises signs are permitted or allowed in any sign district or area of the Town without a use variance.

F. Except for wayfaring signs, or unless otherwise allowed by this chapter, or unless a permit therefor has been obtained by any governmental or public authorities having jurisdiction over such public right-of-way, no signs may be located within any public right-of-way unless approved through a site plan review process or pursuant to a variance. Any sign located within such public right-of-way shall require permission or permits from any governmental or public authorities having jurisdiction over such public right-of-way.

G. No freestanding sign for residential-based businesses located within a residential sign district shall exceed nine feet in height. No other freestanding sign shall exceed 15 feet in height. Signs located or mounted upon the exterior of any building or structure shall not extend above the fascia or be mounted on the roof.

I. Unless expressly otherwise permitted by this chapter, a variance is granted, or unless within a planned sign area:

(1) For all commercial activity signs and other commercial and business signs, no more than two

signs shall be allowed per each premises and the area of each such sign shall not exceed the maximum allowed area for each such sign as based upon its use and location and the requirements of this chapter; and

**210-8 Rules applicable to commercial sign districts**

**A. Commercial signs shall not exceed 48 square feet.**

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**From:** James Gensel <james.gensel@faganengineers.com>  
**Sent:** Friday, November 18, 2022 2:35 PM  
**To:** John Zepko <jzepko@lansingtown.com>; 'Brian Grose' <brian.grose@faganengineers.com>  
**Subject:** RE: Dandy - Project Review Committee

Yes. I am actually collating an email response. One item from Duane was regarding the signage:

*"I have Kevin working on a signage plan today. I did not see a maximum square footage in the code that John sent over. I'll send you Kevin's plan as soon as it is done and then we will need to send to John for interpretation."*

I am still waiting for that but if you have some input ahead of time, that would be great. Thanks,

Jamie

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**From:** John Zepko <jzepko@lansingtown.com>  
**Sent:** Friday, November 18, 2022 1:55 PM  
**To:** 'Brian Grose' <brian.grose@faganengineers.com>; James Gensel <james.gensel@faganengineers.com>  
**Subject:** FW: Dandy - Project Review Committee

Dear Brian and Jamie,

It has been a couple of weeks since I sent the message below requesting information and I'm a little concerned that I haven't heard from you. The next Planning Board meeting is scheduled for 28 November. Is it still your intention to attend?

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**From:** John Zepko  
**Sent:** Friday, November 4, 2022 10:22 AM  
**To:** 'Brian Grose' <brian.grose@faganengineers.com>; James Gensel <james.gensel@faganengineers.com>  
**Cc:** C.J. Randall <crandall@lansingtown.com>; afiorille@lansingtown.com  
**Subject:** Dandy - Project Review Committee

Dear Brian & Jamie,

Our project review committee (our legal, engineering, highway, fire chief, etc) took a look at your latest submission and had a few questions. I'm hoping you could address these prior to 21 Nov.

Early in your submission you suggested the project would use propane to heat the building. Please identify the location and size of the propane tank on your site plan. Please be aware that there is currently a moratorium on new hookups for natural gas.

- Previous discussions with the Planning Board indicated that there would be an electric vehicle charging station(s) located adjacent to the building (in addition to the future bank shown on the plans) in a parking place. Please clarify if you still intend to locate an electric vehicle charging station adjacent to the building and if so, please show these on the plans.
- Planning Board chairman suggested that you consider designating a parking place near the drive through as a “staging” area for customers waiting on their orders. Please consider this.
- The Planning Board has expressed concern in past meetings over the noise from advertising at the pumps. The project sponsor indicated that they’d consider eliminating this. Please update the Town on the status of this concern.
- The project site was formerly occupied by an automobile fueling station. Please provide documentation that the fuel tanks have been removed and any spills/ soils remediated. Please provide the results of any ESAs that have been completed on the project site.
- The project proposes to utilize an onsite wastewater treatment system. However, the EAF indicates a high water table. Has the project submitted an application for an OWTS with the DEC or Tompkins County Health Dept ? Has in situ soil testing been completed on the site?
- Please submit a subdivision/lot line adjustment map
- Please submit scaled sign plans for all signage on site, including building mounted signs and monument signs. Please be certain that all proposed sign locations are shown on the site plan. All signs must be zoning compliant or variances must be obtained prior to their approval. I have included a pdf of the sign regulations.
- Please clarify if the previously submitted, scaled, building elevations are accurate to the current building design.

If you have any questions or concerns regarding the above, feel free to reach out to me. Have a great weekend.

Sincerely,

John Zepko, CPESC, CFM  
Planner/ Stormwater Management Officer  
Town of Lansing  
607-533-7054  
[jzepko@lansingtown.com](mailto:jzepko@lansingtown.com)