

# Village of Lewiston presents revised proposal for 'sandwich board' signs; sets public hearing date

BY JOSHUA MALONI  
GM/Managing Editor

Revised text for a proposed change to the Village of Lewiston's "sandwich board" sign law was presented at Monday's monthly municipal meeting.

Mayor Anne Welch said, "During COVID, we allowed 'sandwich board' signs, banners, curbside - whatever we could do to help the businesses get their business and keep it going. Our current law, before COVID, stated that the 'sandwich boards' were not permitted. They were several years ago, and then they stopped because it got out of control.

"We want to work with the business people, but we need some kind of control so they don't get out of control again. Obviously, New York State DOT does not permit them, but they don't police it. So, we're looking into ways that we can still take care of our businesses and accommodate our businesses, but this is the law that we have to come up with.

"Right now, it is not permitted at all. So, we're working on that."

These changes follow an initial law modification proposal at last week's Planning Commission meeting.

The text was modified like this:

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Local Law #15-2023 - amend Section 13 (Sign Regulations) to read:

**B. Definitions**

Change number 25 to: "Sandwich Board Sign" - a hinged free-standing sign that is composed of two sign faces diverging at an angle of no more than 45 degrees from their adjoined edge.

~~Previous text was "Sandwich board sign" - a hinged freestanding sign of any size, unattached to any building or ground surface and which opens in an "A" shape, whether professionally designed and manufactured or created or designed in any freehand style.~~

**C. Prohibited Signs**

Item 13 - No sandwich board signs of any size, shape or design shall be permitted within the public right-of-way of village streets, nor on private property.

~~The New York State Department of Transportation does not allow Sandwich Board signs within the public right of way of village streets. The requirements of item 13 may only be waived for signs located on private property upon review and approval of a special use permit by the Planning Board. A~~

~~conditional approval of a sandwich board sign and its specific location may be made if its use is supported by evidence presented to the Planning Board by the owner of the business for which said exception is requested showing that, because of topography, some other physical condition, or extenuating circumstances, enforcement of this section would create an unusual and undue hardship. Evidence of insurance coverage for the sign must be submitted with the application. If approved, the use of one Sandwich Board sign would be allowed for a one-year period and it would not be counted towards the allowed signage. The sign must be non-illuminated, not exceed 8 square feet in area and 4 feet in height and have nothing attached to it. It must be brought in by dusk and not put out until dawn and be sufficiently secure to prevent movement from the wind. Any weights or cords used with the sign must also be taken in with the sign. Placement will not obstruct free egress from a window, door, or a fire escape and will not interfere with vehicular or pedestrian access or visibility. The use of a Sandwich Board sign is a privilege not a right. Failure to~~

~~comply with the requirements detailed above will result in the revocation of the special use permit.~~

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"Sandwich board" signs will be discussed at a public hearing set for 6 p.m. Tuesday, June 20, inside the Red Brick Municipal Building, 145 N. Fourth St. Village of Lewiston trustees will then vote on adopting Law No. 15-2023, amending Section 13 (sign regulations).

Welch said, "We never changed the law. We just relaxed it during COVID. With that law on the books right now, no one is allowed a 'sandwich board' at all - not on private or public property.

"It's not a permitted sign anywhere," she said.

The proposed modification could allow placement of such a "sandwich board" under certain circumstances - specifically for businesses that have "extenuating circumstances" where "enforcement of this section would create an unusual and undue hardship." The text suggests those "extenuating circumstances" arise when a business is not clearly visible to potential patrons, because of location, topography or obstruction.

Trustee Dan Gibson said, "I

would like to see, within this law, that they're allowed one 'sandwich board.' Not multiple 'sandwich boards.'"

Welch said, "That's why it's going to be probably a case-by-case basis." Businesses also can apply to the Zoning Board of Appeals for a variance to the law.

She noted plazas, and structures with multiple units, generally would have to share one "sandwich board" "with the list of the businesses on it. You can't have five 'sandwich boards' all in a row."

Trustee Tina Coppins said, "I feel that everybody should get one, but they have to be taken in at night. Not sitting out all night."

Center Street resident, businessman and former Trustee Ronald Craft said, "Try to work with these businesses. ... We're losing retail."

Welch said, "I think we do work with the businesses. That's what we try to do."

Craft said, "We've got a good village going, and we should be working together. I think we can do that."

•See more from Monday's meeting online at [www.wnypapers.com](http://www.wnypapers.com).

## Mayor outlines pathways to approved signage

Continued from Page 2

beautifully decorated windows, and a flower bed right across from the front door. Still, people "keep going." One recent passerby, "the last thing they saw that made them go in was my little 'sandwich' chalkboard sign that's (small and) butted up against (the store). They go, 'Oh, she's a local artist.' ... It was like my last chance."

The Rose Hanger owner Sara Liberale said, "I think one of the main concerns that people are having is because the experiences that a lot of people have while trying to get signs approved to begin with have been difficult. For example, the sign in the back of my building, I was told I had to take it down and move it like 4 inches. And my husband actually said, 'We're not doing that,' and then removed it."

She added, "I think it's the fact that we feel like we have to run through hoops to get those signs approved - that we kind of feel like we don't stand a chance getting these signs approved."

Welch suggested business owners attend Historic Preservation and Planning Commission meetings to voice their concerns and start a dialogue with those board members. Sessions take place be-

ginning at 6 p.m. on the second Monday of each month.

Liberale said the sign laws are reasonable, and "I don't think anyone has a problem with going to ask for permission." However, "I think the fear is that they're just going to say no, and we just have to listen to these people that aren't business owners."

"They're disconnected," Budde said.

Trait-Carré owner Matt Villnave said the sign approval process becomes "arbitrary," because "a business owner knows better than these people what is going to help them. Period."

Garfinkel said, "These shops that these owners have, that's their job. It's not a hobby. They have employees. They have rent. They have all these things that they

need to take care of. And the passion of all of these people for their store is huge. And sometimes, we just feel like we're being beat down for the smallest little things."

Antique to Chic co-owner Judy Munzi said, "What I hear is we need to improve communication. The businesses need to feel like these committees are on our side. And I'm sure the committees could do their job better if they knew what we were going through."

She added, "Most of the people on the committees want the village to be a beautiful place. But they need to understand more about what it's like to be a business trying to set that up."

With regard to the public hearing on June 20, Welch said there could be more revisions to the proposed new law before anything

is officially adopted: "Once we get everybody's input, maybe we'll add something. Maybe we'll delete something. This is just to get everybody into the public hearing and get the input."

Pauly said, "There needs to be some type of a solution. So, for us to say 90 businesses can have their own 'sandwich board' on Center Street, that's ridiculous. We all know that. ...

"Let's think through this; I mean, we have to see all sides of it. Obviously, there can be negative sides, right. So, we have to come up with a solution of what we think could happen."

Liberale said, "I think we need to come up with some kind of reasonable step for us where we can say, 'This is what we need and why we need it. And (this is) how we

can make it work for you guys,' so it's not chaos, but what we can still advertise for our businesses."

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