

A public hearing was held by the Town Board of the Town of Ballston on Tuesday evening, February 9, 2016 at the Town Hall on Charlton Road, Ballston Spa, New York.

PRESENT	Timothy Szczepaniak	Supervisor
	John Antoski	Councilman
	William Goslin	Councilman
	Kelly Stewart	Councilwoman
	Chuck Curtiss	Councilman
	Carol Gumienny	Clerk
	James Walsh	Counsel

Supervisor Szczepaniak opened the public hearing at 6:10 p.m. The purpose of this public hearing was to offer the public an opportunity to give their comments to the Town Board about the proposed Local Law on LED Billboards.

The Town Clerk read the following legal ad for the public hearing.

PLEASE TAKE NOTICE that pursuant to the Town Code of the Town of Ballston, Subdivision of Land, §107; §10 of the Municipal Home Rule Law; and the New York State Town Law §§ 276, the Town Board of the Town of Ballston will conduct a public hearing on February 9, 2016 at 6:10 p.m., Ballston Town Hall, 323 Charlton Road, Ballston Spa, New York 12020 to consider the change to the Zoning Subdivision of Local Law with respect to clarifying the inability to utilize (LED's) light emitting diodes on Billboards in Section 138-35 of Town Code. All persons are welcome to offer their oral and/or written comments at the above time and place.

By order of the Town Board of the Town of Ballston dated December 8, 2015. For further information, please contact Timothy Szczepaniak, Supervisor, at (518) 885-8502 Ext. 13.

Carol Gumienny
Town of Ballston
Town Clerk
323 Charlton Road
Ballston Spa, NY 12020

The following comments were heard:

Dr. Pierce, of Lake Road, emphasized that LED lighting does not follow the Comprehensive Plan; therefore, LED is not appropriate. He supports the proposed law.

Attorney Walsh spoke on behalf of Town resident, *Al Poremba*. Mr. Poremba lives near the billboards and safety is a concern. Drivers will be distracted by LED billboards. He totally opposes LED billboards and supports this law.

Supervisor Szczepaniak read the following comments in a letter received from the Zoning Board of Appeals:

This local law shall add a new Paragraph "M" to Section 138-35 of the Town of Ballston zoning ordinance.

"M. No billboard shall have light emitting diodes (LEDs)."

The ZBA, like the Town Board, is concerned about the negative impact that LED signs would have upon traffic safety within the Town of Ballston. The ZBA agrees that a changing LED billboard would be distracting and would have a negative impact upon traffic safety within the town. However, LED lighting on a sign for illumination purposes and not a scrolling and/or changing light sign should be considered as the use of such lighting is cost efficient.

Therefore, the ZBA recommends the proposed Paragraph "M" be changed to allow for non-scrolling and non-changing LED billboard signs where messages and images can be changed no more frequently than every 24 hours. The ZBA feels this should apply not only to LED billboards but be extended to other digital or electronic technology billboards.

It should be noted that four (4) members were in favor of this recommendation. Three (3) members were against any LED, digital, or electronic technology billboards.

No one else wished to speak. The public hearing was closed at 6:15 p.m.

Respectfully submitted,

Carol A. Gumienny
Town Clerk