

The special public comment meeting on Wednesday, May 8, 2024, in the David Harum Senior Center, 31 North Main Street, Homer NY was called to order by Supervisor Michael R. Park at 6:00 p.m. The notice of the special meeting was posted in the Town's legal newspaper on April 30, 2024.

PRESENT

Michael R. Park, Supervisor
Barry E. Warren, Deputy Supervisor
Caleb J. Leach, Councilmember
Kevin M. Williams, Councilmember
Sarah E. Head, Councilmember
Daniel J. Ellis II, Attorney for the Town
Heather M. Hill, Town Clerk
Brooke L. Poli, Deputy Clerk

OTHERS PRESENT

Mike McMahon, Chairman, Homer Planning Board
Paul Stepien, resident, town of Homer
JoAnn Dukelow, resident, town of Homer
Tony Krishock, Syracuse Astronomical Society
Kelly Preston, resident, Homer
Martin Sweeney, Town Historian
Victor & Ann Siegle, resident, Homer
Pierre Beaudry, resident, village of Homer
Mary Dafoe, resident, Little York
Nancy Dafoe, resident, Little York
Tim Malchak, resident, town of Homer
Boyd & Deb Chapman, resident, town of Homer
Steve Major, resident, town of Preble
Caoimne Dudgeon, resident, town of Homer
Emmanuel Pothos, resident, Cortlandville
Karen Dudgeon, resident, town of Homer
Larry Jones, resident, town of Homer
Linda Jones, resident, Town of Homer
Tim Robideau, resident, Village of Homer
Amy Hall, resident, Town of Homer
Stephanie Spina, resident, Town of Homer
Amy Bertini, resident, Town of Preble
Adam Clifford, resident, Town of Homer
Raymond Dague, Syracuse Astronomical Society
Rae Cute, resident, Town of Homer
Deb Chapman
Sylvia Hammond
Brenda Contento
Jeff Higgins
Bess Path
Les Wainman
Jack Eves, X101 News
Don Ferris, resident, Village of Homer
Marie Ferro
Brooke Keeney
Lee Benson
Greg Leach
Patricia Pollack
Margaret Mellott, Cortland Standard

Fink Underwood
Barb Stepien
Amy Dehlman
John Rush
Anita Jebbett, resident, Town of Homer
Cathy Robinson
Maria V. Arnold
Ward Dukelow
Brady Armstrong
Kathleene & Joseph Compagni
Ashley Neiderman
Renee Neiderman
Kim Allen
Elizabeth McGrath
Melissa Bromwell
Susan & Ronald Porter
Jane O'Shea
Terri Fendya
Richard Neiderman
Karen O'Neil Covell
Andy Covell
Jeff Ehrlich
Charles Spina
Shawn Cute
Sandy Ehrlich
Anne W. Regard
Jarret Regard
Kelly Geremski
Patricia Martinez

Supervisor Park welcomed and thanked everyone for coming to the public comment meeting concerning the proposal for billboards in the Town of Homer. He stated he had the sign-in sheet for those who would like to comment and a record of whether they were for or opposed to the proposed billboards.

He outlined how he would conduct the meeting, and would call those who signed up to speak, according to how they signed in. He stated they have also received letters opposed to the billboards and letters for the billboards. He requested each speaker to speak for a two-minute limit, so they could finish by 7:00 p.m.

Supervisor Park stated the Town Board's intention for tonight's meeting is to allow people to state their position and there were two new town board members and a new supervisor since the proposal was first presented.

Park explained if the town board votes yes to move the billboard process forward, that this does not mean the billboards are approved. There would be numerous steps the town would need to consider before any conclusion could occur, including completing a SEQR, reviewing the town's Comprehensive Plan, and reviewing the town's local law.

If the Town Board votes yes tonight, there would be ample opportunities for the public to comment at public meetings and stated that the town board would work diligently and hold to the law with the process. Park reiterated the town has the town attorney, Dan Ellis, and the environmental lawyer, Pat Snyder, who would assist the town board with the process. Numerous steps would still need to be completed before a final vote could occur or before any outcome could be determined and any additional information would be passed along. Supervisor Park then called the first speaker.

Michael McMahan, Homer resident, stated he has been a member of the Homer Town Planning Board for 45-years and chair for the past eight years, and he was proud to serve this great town,

not only as a planner and enforcer of our ordinances, but also in advising and recommending ordinances and changes to our ordinances to the town board. Last year, the planning board was asked to weigh in and make a recommendation to the town board. He stated they completed extensive research and held a public hearing which resulted in 30 people against and 3 in favor. It became clear that the town of Homer had no wish to change our comprehensive plan to allow billboards. He shared that as a 45-year member of the planning board, it was wrong to change the town's current position for the sake of one individual's profitability. He recommended forming a commission to update the current comprehensive plan and do it yourself the right way and thanked the town board for the opportunity.

Paul Stepien, Homer resident, has lived in Homer for the last 16 years and he was the past president of Camillu's Chamber of Commerce and past president of the Little York Lake Association. He referred to the prior meeting on billboards and stated the residents of Little York and the town do not want the billboard for various reasons including lighting or wrecking of the natural beauty of the countryside. He referenced when he and his wife travel, they do not utilize billboards but their phones and look for a place to stay or to eat. He questioned the profitability of the billboards, who would profit from billboards, if there would be attorney costs involved, and if those costs would fall on the town. He stated he is not in favor of billboards and hopes the town board votes it down.

JoAnn Dukelow, Homer resident, asked if the town approved electronic billboards, what the cost would be to our community and who would benefit from the signs besides the property owners. She stated she did not think local businesses would benefit and questioned if there would be any control of what was advertised. She stated billboards were distracting and referred to the already existing school and church signs which were small and questionable but in relatively good taste and provide community information. She questioned what would stop businesses from putting billboards up 281, Route 11, or Albany Street. She said billboards would destroy the character of our community.

Kelly Preston, Homer resident, thanked Supervisor Park and the town board for their service to the Homer community and for allowing tonight's meeting. She stated she was a former county legislator and worked with most of the town board, which she deemed good people. She recalled speaking last year at the joint meeting with the town board and the planning board, and recalled residents do not want electronic billboards. She also said she willingly carried petitions for each of the board members, but stated she put the board members here tonight in their seat. She stated when she was getting signatures for their petitions, she informed residents that they will always listen to you and will always represent you. She asked the town board not to let her down. She said Chairman Mike McMahon from the planning board and Tony Grisham from the Syracuse Astronomical Society are not in favor of this and urged the town board to stop this process, shut it down, and to move forward with important information, important business for the hometown.

Martin Sweeney, Homer resident, stated at the last town board meeting he attended, he asked the two new board members to do their homework and to explore the pros and cons of billboards along I-81 and said he looked forward to hearing what they learned. As the historian for the town and village of Homer, his concerns were the preservation of historical and environmental charm of the town and village. He reviewed his reasons to oppose billboards along interstate highways: visual pollution- billboards clutter the landscape and obstruct natural views; eyesores, especially in historic and scenic areas where travelers expect to enjoy the natural beauty of the area; safety concerns- he also stated billboards have been known to distract drivers, leading to accidents- brightly lit or animated billboards can divert attention from the road, posing risks to public safety; impact on property values- billboards near residential areas can negatively affect property values; environmental impact- billboards aesthetically alter the natural landscape and prevent travelers from enjoying unspoiled views and are a form of littering along our highways; technologically unnecessary- today travelers use smartphones to locate commercial venues, and stated Alaska, Hawaii, Vermont, and Maine have outright bans on billboards. These states prioritize open spaces, environmental preservation, and scenic beauty over billboard advertising. He said he wished New York State had done the same back in 1949. Those laws have not been enforced and did not mean the town board cannot do the right thing and thanked the board.

Mary Dafoe, Little York resident, stated to the town board to stop wasting time and taxpayer money to move forward on these zoning changes. The residents most affected have made it clear they do not want billboards installed in the rural area and to continue pursuing this will be

working against the interests of the people you represent. She encouraged the town board to find other avenues to lift and enhance the area.

Tim Malchak, Homer resident, thanked the board for the last two years on this project. As a landowner of an industrial property asked the small business owners and the board members to give him the same opportunity to have a small business as they do. He believes that this is a good opportunity to bring in people and revenue to this amazing town. The town that his family has lived and loved in for the last 150 years and asked to please vote yes to move this project on.

Anthony Krishak stated he was the current president of the Syracuse Astronomical Society and was here on their behalf. The observatory was located at Darwin Hill and established in 1971 and has been serving the needs of interested stargazers. He also said they have hosted students, Boy and Girl Scout troops, and a host of other organizations from all over central New York. He was here with several members of our group to express their concerns regarding this LED billboard proposal. Their observatory is located off exit 14 on I-81 and lies just over the county line approximately 11 miles from Homer. This site was selected because it offered dark skies and a convenient location situated between the lights of Syracuse to the north and Cortland to the south. Over the years, the light billings produced by these cities has gradually worsened. The proposal to add blinding LED billboards along I-81, which would be a violation of the spirit if not the letter of the 1965 Highway Beautification Act, would make this problem worse by orders of magnitude. The light pollution of years past has been primarily mercury and sodium vapors, which emit specific frequencies that can, to some extent, be mitigated using deep sky filtering. But LED lights emit across a broad range of frequencies and cannot be filtered out using any equipment currently available to the amateur astronomer. Furthermore, their organization, which relies heavily on donations and charitable contributions, recently formed a partnership with Le Moyne College in downtown Syracuse. Le Moyne reached out to their group looking for a dark sky location to support student research projects since their location was awash in light pollution. This LED billboard proposal would turn our skies into a milky white haze, no better suited for astronomical research than those of Syracuse. This proposal would damage our ability to form these kinds of supportive partnerships in the future. He stated he could not speak to the town of Homer about what they might gain by allowing these billboards, but he could speak to what the town would lose. When we can no longer step outside with our kids and point out the stars and constellations, we lose something very basic and very fundamental to who we are as human beings. The beauty and majesty of the night sky is one of the few things that all of us agree on, and he urged the Council to rise up in defense of it. The gift of dark skies in this region has been enjoyed by far more people than you realize. Please, protect the beauty of your fair town and reject this and all similarly conceived LED billboard proposals for this area. He thanked the Town Board for their attention.

Steve Major, Preble resident, stated he has been a business owner and Homer since 1987 and there are a couple people who are going to benefit from the billboards. All the other benefits that the Town Board is talking about such as tax, revenues, and increased business are all speculation. He said there is no basis for doing all this for speculating on private business gains. He stated he does not feel the town board should take part in the private business speculation at the expense of the rest of the community, property values, and all the other negative aspects of these billboards.

Caoimne Dudgeon, Homer resident, stated she was a high school senior and as a lifelong resident of this environmentally rich town, she stated she is deeply concerned about the proposal to change legislation to allow the construction of LED billboards. Growing up here, she was fortunate to experience the beauty of the night sky nearly every night. The stars above inspired her to pursue a career in aerospace engineering, however the introduction of LED billboards will rob future generations of this experience. Light pollution not only obscures our view of the stars, but also has detrimental effects on both the environment and human health. Studies have shown that excessive artificial light disrupts ecosystems, interferes with wildlife behavior, and contributes to energy waste. She stated she is not alone in her opposition to this proposal and over 340 concerned citizens have signed a petition expressing their disapproval and numerous individuals voiced their concerns at the last meeting. Allowing LED billboards does not serve the best interest of our town. She said to focus on preserving the natural beauty that makes our town special and to protect our night sky for future generations to enjoy, and to prioritize the well-being of our community. She urged the members of the town board to listen to the voices of your constituents and reject this proposal and that together, they could ensure our town retains its natural beauty for generations to come.

Emmanuel Pothos- Cortlandville resident, thanked the board for their work over the past two years and stated we should be thankful we live in the greatest country that allows us to have an open forum where we can disagree or agree on a topic and still be civil and cordial with each other. He stated you should understand that economic development lays the groundwork for future growth by attracting businesses, creating jobs, and stimulating consumer spending. This would generate increased sales tax revenue that can offset and potentially lower tax levies for residents. This project is not just for the town of Homer, but everyone in the county would benefit. Off premise advertising can enhance public awareness of events, products, and services, enriching the culture in the area. He encouraged the Town Board to think about the ability to advertise for the businesses in the area. He thanked everyone for their time.

Linda Jones, town of Homer resident, stated as an elected official to vote no on proceeding with the proposed billboards in our township. Billboards in rural townships are intrusive eyesores disrupting the beauty of our landscapes. There are many reasons to speak against them, including visual pollution, light pollution, environmental impact, and distracting drivers. The two county legislators, Reed Cleland and herself, along with previous legislator Kelly Preston, have listened to those they represent, have heard an astounding no and an outrage at the proposed billboards in Homer. She also reminded the elected officials to represent people of all ages, as they are one on this issue. Back in 1927, the state of Hawaii initially banned billboards, and in 1959, Alaska followed suit, Vermont in 1968, and Maine in 1977. What are these states known for? Their rural landscapes and their scenic views. All of these states have shown that they and their businesses get along just fine without billboards. Rural townships are cherished for their natural beauty and tranquility. Erecting billboards tarnishes this beauty, replacing scenic vistas with advertising clutter that distracts from the very essence that draws people to our area. Unlike our phones and our TV, we cannot turn them off. As far as using these letters on seats for advertising, they may not necessarily bring economic benefits to our lonely community. Instead, they could serve as an interest for external advertisers and big corporations. Our rural townships represent a clash between commercial interests and the values of communities, our culture, and environmental stewardship. Opposing them is crucial to preserving the unique character and charm that is our pleasure to enjoy. As we grow, we must preserve this most important atmosphere for our future and future generations. She requested that the board adopt a resolution to discontinue the consideration of billboards.

Linda Jones read County Legislator Reid Cleland statement: As a county legislator for the town and village of Homer, I write to express my strong and sincere opposition to the construction of digital billboards in our historic and picturesque town. Climate change is the greatest existential threat facing the planet and our species at this moment. We are all interconnected, reaching our national and international goals of reducing our climate footprint and slashing non-renewable energy emissions can only happen when our smallest towns and villages do their part. The construction of digital billboards in the town of Homer would contribute further to our non-renewable energy output and destabilization of wildlife habitats, particularly at nighttime. and when the darkness becomes illuminated. With regard to the billboard advertisement material, I would point out that greater numbers of young people are exposed to illicit substances than at any point in our modern history. Homer need not further exacerbate this public health and safety concern by permitting the construction of billboards which could advertise recreational cannabis to all passers-by regardless of their age. I encourage all residents to speak out strongly in opposition to the proposed construction of digital billboards in the town of Homer and I urge our board to vote no on this issue. Reed Cleland.

Nancy Dafoe, Little York resident, stated the board has heard the overwhelming majority of people in this area, both in the town of Homer, in the village of Homer, in the outlying areas, speak against this proposal and have heard two people who stand to profit from it. As true representatives of a democracy, she hopes that the Town Board listens to the people.

Larry Jones, town of Homer resident, said as a previous board member, he respects and appreciates the board being here and listening. He stated they have been working on this for almost two years and the planning board voted against it and the discussion came back to the board. He does not support the billboards and can see and appreciate both sides. Although he is on the opposite side of the Town Board, he does not want to argue and is not for the billboards and would like to vote this down.

Tim Robideau, Homer resident, stated he would not want the Town Board's job. He said he tries to take a step back from any situation and look at everything from both sides and both perspectives and can understand where a landowner would want to make some money and an advertiser would want to put their product out into the market. He also said he could understand the dark sky side of it where we do not want light pollution. He shared his conversation with his college age daughter and her perspective of billboards being obsolete and not relevant in the future. Information can be accessed on your phone. In his opinion it would not look good for the board to support something that is going to be obsolete and asked the board to take that into account and not to allow billboards.

Amy Hall, Homer resident, stated her strong opposition to the plan that will allow lighted and LED boards along 81. She referred to Homer's website, which says the town of Homer is located in CNY approximately 30 minutes from Syracuse and is a historic community and remains a relatively unspoiled 19th century downtown, with rolling hills and valleys, which are still used for agriculture. Mostly residential, a few small shops featuring arts and crafts, a year-round farm market and bakery, a greenhouse and garden store. She stated that if you put billboards up the website would not be true anymore. She posed the question if towns have done studies or reported the consequences of this type of change and what kind of advertisements would be allowed, including marijuana. She did not want her teenagers to see gentlemen's clubs or adult bookstores and that was why she resided here and if zoning laws are changed, that we are setting the precedent that we value money.

Stephanie Spina, Homer resident, stated according to more than 50 independent studies, 22 of which she had read in full, roadside billboards are associated with increased traffic accidents. Although there are some studies that show otherwise, those have all been conducted or funded by the signage industry, and outdoor media advertising companies. As for free speech, the U.S. Court of Appeals for the Third Circuit in New Jersey upheld a municipality zoning ordinance banning billboards, disagreeing that the ban violated free speech guarantees. The court found that banning billboards was justified based on traffic safety and the fact that the ban preserved the 'billboard-free aesthetic character of the area'. Aside from safety, aesthetics, environmental concerns being counterproductive to initiatives being pursued through the DRI, billboard advertising is not consensual, and one cannot opt out of ads on billboards, if walking or driving outdoors you can't avoid them. In 2022, the U.S. Supreme Court upheld the city of Austin's ban on digital billboards. Billboard lighting, especially digital billboards, do use huge amounts of energy and contribute to greenhouse gas emissions, global warming, etc. Areas with the most billboards have the highest air pollution. If those arguments don't convince you to ban billboards, or if you are blinded by the dollar signs in your eyes, this should restore your sight. Billboards hinder a community's ability to grow and thrive. They do not increase revenue. All the benefits of billboards accrue to the large billboard companies and, to a lesser extent, the owner of lots which host billboards. The cost of billboards are significant and borne by everyone else. A recent study in Pennsylvania showed that homes within 500 feet of a billboard are worth \$100,000.00 less than the time of sale and the effect on value relative to the distance from billboards. Therefore, the presence of billboards reduces local property taxes. Attempts by the town, county, and government to recoup these costs with permit fees and taxes on billboards have not been successful in offsetting the value.

Amy Bertini, town of Preble resident, owner of continuous property stated the town's current Comprehensive Plan talks about being cognizant of continuous property and wanted the Town Board to be aware that this will affect areas next to the Town of Preble, part of the Little York area, and part of the park area and if the town decides to proceed and change zoning regulations, that regulation, that anybody in the district can put a sign up if that is what you approve. It is not specific to one or two properties and asked that the Town Board to consider that information.

Councilmember Williams read the letter Mike Niswender requested be read into the record:
Members of the Homer Town Board:

As a prior 10 Year Member of the Homer Town Planning Board, I know well and appreciate the many hours of hard work it takes to be a Town Board Member. Thank You.

As a landowner and businessperson of one of the sites being considered for the Billboard Project, I would like to express my support for the project. If I were not one of the landowners being considered for the project, I would still be in favor of it.

Our family purchased the K&H property in 1955, ten years prior to the building of Interstate 81. Over the nearly 70 years, we expanded our business and worked with constant changes of land use to make the best of what we had to work with. Along with those changes come increased property tax, regulations, and expenses that come along with the growth of any business. On a positive note, our K&H business has generated just under \$400,000.00 in sales tax revenue per year for the local, state and federal governments to distribute to make our community the great place it is today. And the biggest point of all is the many jobs we have provided over those years. Simply put, small business is what makes the town of Homer a place people want to Live in.

I know there are a few people opposed to the Billboard Project along Interstate 81, but the pros outweigh the cons by a huge margin. In my opinion, anytime there is a way to help grow a small business, all the above points need to be considered. Are rules and regulations needed for such a project? Of course. But to restrict the growth of small business by not taking advantage of the interstate traffic already going up the center of our valley would be detrimental and counterproductive. Please consider moving this project forward for the greater good of our community.

****Please read into The Record During Public Comment****

Respectfully,

Michael Niswender, President

K&H Kawasaki, Inc.

Victor Siegle, village of Homer resident, pointed out the north and south exits to Homer there are 18 billboard slots made by the state of New York. Anyone that wanted to advertise would pay \$100 a year for those slots. Of those 18 slots for the Homer exit, two are Homer businesses which are Homer Hops and Little Italy. The other 16 are chain businesses, corporal businesses, or blank. If billboards were useful, those 16 other spaces would be filled with Homer billboards. When the president of the Syracuse Astronomical Society spoke, they handed out a petition that was done by the Dudgeon family and by SAS. That petition contains almost 350 signatures of people who live in Homer, drive through Homer, or care about dark skies. He said he has never seen a petition in Homer with 350 signatures and a copy was given to everybody on the board. He said he has not heard anyone discuss the projected property tax income to the town of Homer for these billboards and investigated the potential income for the town. He could not find clear answers. The calculations below, involving concepts like capitalization rate and equalization rate, involve too many guesses. Based upon the approximate information he has found, the three proposed billboards might each pay approximately \$340 in addable property taxes to the town of Homer. Billboard property taxes to the town may be so low that the cost to the town of approving and managing billboards will forever exceed the projected tax receipts. It is not the town's responsibility to spend money to change its laws, zoning, and comprehensive plan to help a couple of landowners when almost everyone else in the town opposes billboards. The town of Homer should not be in the business of subsidizing costs for such an unpopular project. Approving and managing billboards makes no financial sense for the town of Homer. If his calculations are correct, then the entire billboard conversation should be ended now.

Karen Dudgeon, Homer resident, greeted and thanked everybody for coming out and stated she oversaw the Facebook for Dark Skies group. She shared that she feels the billboards need to reflect the values that we have as a town and stated our town's website has this beautiful description of our town, of the valleys and one thing she read was the word bucolic. She said it is beautiful and stunning here and people should come here and spend money and visit Homer because you can escape your life everywhere else by coming here. The problem is billboards make places, cities, towns, and villages feel like everywhere else and homogenized our culture. Community differentiation is an economic term used in business development to encourage communities through laws and zoning and make you want to visit. She said we needed to differentiate ourselves from other towns so people will want to come live and visit. and enhance its distinctive character, the more reason there is to visit. She also mentioned it is a First Amendment issue for us to control anything going on these billboards and lose control of what goes on the billboards. She said our town has an advantage over Cortland, Marathon, Polkville, and Tully, towns that are close by on I-81 because we are different. If the entrance to our homes are filled with LED billboards that creates cognitive distortion. LED billboards pull away from the perception that Homer is a pastoral town that is worth visiting and encouraged the board to keep our town to reflect its values.

Raymond Dague stated he was the Observatory Director of the Syracuse Astronomical Society and has been the Observatory Director for 20 years and has been at the Observatory for about 45 years and when you look south toward this area, you can see the Milky Way. These billboards

will increase light pollution and has gotten worse over the years. He stated he is also an attorney and once a billboard is up, you cannot stop for First Amendment reasons, what message is put on it. He stated in Syracuse there are a lot of these and encouraged people to visit and one of the billboards he noticed was for a marijuana dispensary and advertise delivery.

Ray Cute, Little York resident, stated after two years attending the town meetings and talking about digital billboards there were three people who wanted billboards and the rest do not. All those who want billboards would profit from billboards. She said to keep our small town beautiful and referred to the beauty of Skaneateles and the fact there were no billboards in their town. Her stance was we do not need billboards and they were a thing of the past and put this behind us.

Supervisor Park asked if there was anyone else, he omitted that signed up and wanted to speak. As there were no more comments, he thanked everyone and concluded the public comment meeting at 6:51 PM.

Brooke L. Poli
Deputy Town Clerk