

Zoning Board of the Town of Mexico
Minutes of the Regular Meeting
Held May 17, 2021
Via Zoom commencing at 7:00 P.M.

Present: Ned Waterbury, Chairman
Chuck Dimon, Board Member
Marty Trey, Board Member
Rebekah Prosachik, Attorney
Ron Marsden, CEO
Absent: Ashley Smith, Board Member

And 0 in the audience

Chairman Waterbury opened the meeting at 7:11.

Waterbury asked Prosachik to clarify what was meant on Page 2, first paragraph about Mr. Miller's woodworking. Prosachik said Mr. Miller cannot do any commercial woodworking. He can only cut wood for personal use. A motion was made by Dimon and seconded by Waterbury to approve the minutes of April 19th. The motion was unanimously adopted by a vote of 3 ayes and 0 nays.

New Business- none

Old Business

Rosato Variance

Waterbury asked if there was any progress. Prosachik said Rosato is waiting for DEC and an updated site plan. Marsden said he had not heard anything.

Miller Variance

Tapaces.he planning board has approved the site plan. The public hearing is on June 21st. Prosachik said SHIPO has replied with "No Comment." DOT has not replied yet. Waterbury asked if there was an advisory place to send for DOT. Prosachik said yes.

Waterbury said he was concerned about trucks on State Route 3 during the winter. Trey asked if Miller would be operating during the winter. Marsden said he would check. Trey said that may be a condition for the permit. Waterbury said the board needs guidance from DOT concerning the driveway. The culvert is 20 feet with a sharp turn to avoid the sawmill. Waterbury said when Sue Ladd called DOT she was told that if any changes were made in the state right-of-way it would open up a can of worms. Prosachik said the existing culvert has to remain as is. Dimon said that was up to the state.

RIC Interpretation

John Regan sent emails to Prosachik stating he doesn't need a variance. The law says only land covered by panels come into play. Waterbury said the original proposal said 23 acres is needed. The overall acreage is 50 acres. Prosachik said the size of the panels added up are 6 acres. Trey said what about the roadways and any other spaces.

Trey asked if they were asking for another interpretation. Prosachik said yes. Prosachik said they should submit the interpretation and the variance together. Waterbury commented that

RIC is trying to find a loophole. The required acreage is clear in the law. Waterbury said some solar companies flip the project and never intend to operate. The law says there are no transfers. Dishaw said RIC is an investment company. Waterbury agreed that they are in partnership with the solar company and are an investment company. Marsden said he spoke to Reagan and told him they need a variance. Waterbury said the state wants to bypass local zoning boards for solar. Prosachik said that was for large solar farms.

A motion was made by Dimon and seconded by Trey to adjourn at 7:37. The motion was unanimously adopted by a vote of 3 ayes and 0 nays.

Respectfully submitted,

Elizabeth Dishaw
Town Clerk