

**Zoning Board of the Town of Mexico**  
**Minutes of the Regular Meeting**  
**Held October 18, 2021**  
**At McAuslan Hall.**

Present: Ned Waterbury, Chairman  
Marty Trey, Board Member  
Dan Yawman, Board Member  
Ron Marsden, CEO  
Graham Seiter, Attorney

Absent: Marcia DeLong, Alternate Board Member  
Ashley Smith, Board Member

And 14 in the audience.

Chairman Waterbury opened the public hearing for Levi Miller at 7:00. Waterbury read the public notice and reminded the audience of the rules for speaking. Carol Brownell spoke against the saw mill. Her concerns were that there are too many saw mills in Mexico. Melissa Brownell spoke against the saw mill. Her question was if precedence is set in another town, does that affect Mexico. Her concerns are: accumulation of waste materials, the burning of waste, dust and debris, runoff into Sage Creek, traffic increase. Carol Brownell's concerns are: sawdust and slab wood along with the town becoming an eyesore.

A motion was made by Waterbury and seconded by Trey to close the public hearing at 7:15. The motion was adopted by a vote of 3 ayes; Waterbury, Trey, Yawman, and 0 nays.

Chairman Waterbury opened the public hearing for Eli Miller at 7:15. Waterbury read the public notice and reminded the audience of the rules for speaking. Kevin Williamson was concerned about the noise and the appearance. Elizabeth Passer asked if there would be conditions such as barriers for noise, making them more conducive to the neighborhood, and hours of operation. Waterbury said that those questions would be answered during the regular meeting. Darlene Williamson was concerned about the saw mill depreciating the value of her home, the increase in traffic, the appearance of the mill, the condition of the roads, the noise, and the serene environment of the neighborhood. Carol Brownell is concerned about the danger of having the log trucks on the road, the increased traffic. Melissa Brownell is concerned about the runoff into the creek. Mark Bednar is concerned about the difficulty in selling his house if it were next to a saw mill, and the noise.

A motion was made by Waterbury and seconded by Trey to close the public hearing at 7:25. The motion was adopted by a vote of 3 ayes: Waterbury, Trey, and Yawman, and 0 nays.

Chairman Waterbury opened the public hearing for Steve DeGone at 7:25. Waterbury read the public notice and reminded the audience of the rules for speaking. DeGone said that he would like to further develop the property that was leased to AmeriGas. He would like to subdivide the property but will only have 250 feet of road frontage. Adding 50 feet of road frontage would encroach on the setbacks of the garage. In 1967, when the body shop was built, the property was within codes. Since then, the zoning laws have changed and the property would no longer be within code. Nick Chapin spoke in favor.

A motion was made by Waterbury and seconded by Trey to close the public hearing at 7:30. The motion was adopted by a vote of 3 ayes: Waterbury, Trey, and Yawman, and 0 nays.

Chairman Waterbury opened the regular meeting at 7:30 with The Pledge of Allegiance.

#### Levi Miller Special Permit

Levi Miller's application was deemed complete in August. It was not referred to the Planning Board. Trey said the board does not have a recommendation. Seiter said the application must be referred to the Planning Board. Waterbury asked if a motion was needed to send the application to the Planning Board. Seiter said it was not necessary for a motion. Waterbury asked Marsden to ensure that the application is on the Planning Board's agenda for November and the applicants are aware that they should attend.

#### Eli Miller Special Permit

Waterbury said Eli Miller's situation is the same as Levi Miller. Waterbury asked Marsden to ensure that the application is on the Planning Board's agenda for November 1<sup>st</sup> and to follow-up with Weber and Miller.

#### Harvey Miller Special Permit

Waterbury said there were changes to the application due to DOT updating their requirements. Waterbury said Marsden and he attended a meeting with Harvey Miller and the engineer from the Mexico DOT so DOT could advise on the requirements for the driveway. The Syracuse office of DOT amended their position on the driveway. It was determined that the saw mill would be a lite commercial use and does not require asphalt. The Planning Board should review again because of the adjustments.

The professionally drawn survey was the basis for the change to lite commercial use. Yawman asked what type of materials is acceptable. Waterbury said high quality gravel can be used in place of asphalt. Yawman asked about the width of the driveway. Waterbury said he thought that it was 30 feet but wasn't sure. The Planning Board has to review the application again. Yawman stated that the project has to meet DOT requirements. Trey asked if the supplement to the survey was the most up to date. Waterbury said no. Ladd said the original survey drawn by Whittaker with two driveways was changed to connect the driveways, making a horseshoe shape for ingress and egress. Trey asked what the additional changes were that instigated the additional review of the site plan by the Planning Board. Waterbury said it was the change to lite commercial.

Waterbury said Miller's saw mill is anchored to the ground. The driveway will fit between the saw mill and the right of way. Ladd that the Planning Board requirement is that the saw mill be under cover. Ladd said the DOT did not have an issue with where the logs were positioned. The logs cannot be turned because of the position of the saw mill.

Weber said the Planning Board is not privy to any of the DOT remarks. This is an ongoing problem. It is essential that the Planning Board has this information to make its determination. Weber asked that someone review all the documentation to ensure that the Planning Board receives all information. Waterbury said he would send Weber an email. A motion was made by Waterbury seconded by Yawman to send the revised application along with DOT remarks to the Planning Board for their review. The motion was adopted by a vote of 3 ayes: Waterbury, Trey, and Yawman, and 0 nays.

Ladd said she has applied for a driveway permit from the state last Thursday. The driveway would not be started until both permits are granted from the state and town.

#### Steve DeGone Area Variance

The Planning Board tabled the DeGone area variance. Once the Planning Board reviews the site plan and makes a recommendation, it will come back to the Zoning Board.

#### Constanza Special Permit

Marsden will contact Constanza informing him of the date of the November meeting to ensure he can attend. Trey asked if this was a new application. Marsden said it was a special use and an area variance. Trey asked why Constanza was building so close to the property line instead of on the other side.

A motion was made by Trey and seconded by Yawman to approve the September ZBA minutes. The motion was adopted by a vote of 3 ayes: Waterbury, Trey, and Yawman, and 0 nays.

Dishaw reminded everyone that four hours of training are required before December 31<sup>st</sup> and sexual harassment training is also required. Waterbury said two regular members are needed for the Zoning Board. He would appreciate everyone to reach out to the community for any volunteers.

A motion was made by Waterbury and seconded by Yawman to adjourn at 8:09 pm. The motion was adopted by a vote of 3 ayes; Waterbury, Trey, Yawman, and 0 nays.

Respectfully submitted,

Elizabeth Dishaw, RMC  
Town Clerk