

**Planning Board of the Town of Mexico  
Minutes of the Regular Meeting  
Held December 6, 2021  
at 7:00 P.M. at McAuslan Hall**

Present: Nancy Weber, Chairman  
Bonnie Loforte, Board Member  
Gary Toth, Board Member  
Allison Trudell, Board Member  
Graham Seiter, Attorney  
Nicole Wild, Deputy Town Clerk  
Ron Marsden, CEO  
Ned Waterbury, ZBA

Absent:

And 2 in the audience

Chairman Weber opened the regular meeting at 7:00 with the Pledge of Allegiance.

A motion was made by Trudell and seconded by Loforte to approve the minutes of November 1, 2021. The motion was adopted by a vote of 4 ayes and 0 nays.

**Old Business:**

Eli Miller- sawmill application

Mr. Miller presented the board with an updated site plan map, indicating a sawdust pile, a shift in the driveway and building locations. Weber asked if the delivery and drive route for trucks was moving away from one neighbor's property. Mr. Miller said he was trying to accommodate that neighbor. Weber asked how far the driveway was moved. Miller said about 20-30 feet closer to the property line to the South and showed where on the drawing the entrance and exits are located. Miller said trees will be kept as a noise and dust buffer. Weber asked about the height of the building. Miller discussed possible heights with different peak options. Toth asked if Miller would have enough clearance for moving logs into the building. Miller said the building would have a maximum height of 18 feet at its peak. Weber said Miller's approach to accommodating his neighbors was admirable. Seiter said neighbors do not need to be notified of any of these changes to the site plan map because there is no negative impact.

A motion was made by Toth and seconded by Trudell to accept the site plan as presented this evening with modifications to the driveway location and building size maximum of 24'x50'x18'. The motion was adopted by a vote of 4 ayes, Weber, Loforte, Toth, Trudell, and 0 nays. Weber asked Wild to notify the ZBA of the Planning Board's decision via interoffice memo. Weber excused Miller at 7:21pm.

Race- gravel bed

Weber said that the ZBA has taken no action on this application due to the possibility of existing violations on the property.

#### Shetler- sawmill application

Weber said the ZBA has taken no action on this application due to the possibility of existing violations on the property. Marsden said Shetler has shut the mill down. Marsden said he needs to contact Mr. Shetler so that he can apply for a permit for agricultural housing for the second dwelling on the property. Weber said that agricultural housing is allowed without having to subdivide the lot but that the owner needs a permit for it.

#### RIC- solar farm

Weber said the purpose of the discussion this evening is to establish how to proceed with evaluating the application. Weber said the board needs to have a firm understanding of the property, including hydrology, soils, tile lines for drainage and determine which authority can inform the Planning Board about possible outcomes of solar farm installation. Weber said the Planning Board should keep a list of questions they have about the solar project and property. There was discussion regarding ownership of the property, ownership of the permit, and management/operation of the solar farm. Weber said Klebbs own the property, RIC makes the application, but asked who the operator of the solar farm would be. Loforte said the package contains a letter from the Klebbs making RIC a designated agent. Weber asked if RIC is the operator of the solar farm. Waterbury said RIC is a developer but not necessarily the operator. Seiter said that the developer will normally go through the process of applying for permits and developing the property and then sell to an operator. Loforte asked if the Klebbs would own the permit. Waterbury said RIC stated their intention was to purchase the property contingent upon issuance of the permit but the ZBA has not revisited this topic. Trudell asked what happens to decommissioning funds if the farm changes ownership. Toth said that the ZBA would have to authorize a change in ownership of the permit. Weber said this helps protect the landowner.

Weber said the Oswego County Soil & Water Conservation office could look at the property. Weber said the map does identify wetlands and that the DEC should take interest. Weber said that a federal organization would not have jurisdiction but that the DEC does. Seiter said the SEQR letters have all been sent out. Waterbury said he received a letter from Oswego County Planning stating that principle aquifers are near the project location. Weber said that water issues cannot just be set aside. Trudell asked if the board would have enough time to contact Oswego County Soil & Water. Seiter said the ZBA can extend their timeline to make a third publication and that special circumstances can require more time. Weber said the necessity of the special agency justifies pushing out the date.

A motion was made by Loforte and seconded by Trudell to officially request consulting services from Oswego County Soil & Water. The motion was adopted by a vote of 4 ayes, Weber, Loforte, Toth, Trudell, and 0 nays. Weber said she would contact Oswego County Soil & Water.

Toth said it would be helpful to know who filled out the environmental assessment form. Weber pointed out that 80.2% of the property was identified as poorly draining and that the pond is not indicated on the map as a surface water feature. Seiter suggested asking RIC to bring an engineer to answer the board's questions. Seiter said his office will contact RIC to ensure that the engineers who put together the environmental study and application package together will be present at the January meeting to answer questions from the board. Weber said it is important to have an expert weigh in who is neutral in order to give an honest assessment. Weber said she will create a "solar project" email group that will include the Planning Board, ZBA Chairman,

Zoning Officer, and town clerk for the purpose of collecting questions to ask RIC. Toth asked about sharing the list of questions with RIC prior to the meeting. Trudell suggested giving the list of questions to RIC one week prior to the meeting. Weber said Marsden needs a copy of the application package, including maps. Seiter said a copy should be on record in the Town Office as well.

There was discussion about trees as buffers around the property. Toth suggested the board focus on lot coverage regarding our local law as well as transfer of ownership first. Seiter said that if the town does not want to grant the variance, the project may fall through. There was discussion about the local law and the natural growth of solar technology since the law was passed. Weber said ownership of the solar farm and property need to be established clearly. There was discussion about change of ownership and how it relates to a PILOT and bonds.

Questions:

- Who will own the property?
- Who will own/operate the solar farm?
- What will happen to decommissioning funds should the property change ownership or solar farm change operators?
- Which engineering firm completed the environmental assessment review?

**New Business:**

Vazquez

Weber said the Planning Board needs a more information such as a complete map of the property and suggested a survey from the current owner will allow the board to see the entire area. Marsden said the purchase of the property by Vazquez is contingent upon the issuance of this permit. Weber said the applicant can contact her with questions if she needs help creating a more detailed site plan map.

A motion was made by Trudell and seconded by Loforte to table the Vazquez application until January to give the applicant time to create a more detailed map. The motion was adopted by a vote of 4 ayes, Weber, Loforte, Toth, Trudell, and 0 nays. Weber said Vazquez will be put before RIC on the January agenda if she can get her information completed by then.

A motion was made by Toth and seconded by Loforte to adjourn the meeting at 8:42pm. The motion was approved by a vote of 4 ayes, Weber, Loforte, Toth, Trudell and 0 nays.

Respectfully submitted,

Nicole Wild  
Deputy Town Clerk