

**Mexico Zoning Board of Appeals
Minutes of the Regular Meeting
Held July 18, 2022 at McAuslan Hall
Commencing at 7:00 P.M.**

Present: Ned Waterbury, Chairman
Lori Behling, Counselor
Dan Yawman, Counselor
Ron Marsden, Code Enforcement Officer
Graham Seiter, Town Attorney
Nicole Wild, Town Clerk

Absent: Marty Trey, Counselor

And 3 in the audience.

Chairman Waterbury called the meeting to order with the Pledge of Allegiance at 7:02pm.

Chairman Waterbury gave the board time to review the minutes from the regular June meeting.

A motion was made by Yawman and seconded by Behling to approve the minutes of the regular ZBA June 13, 2022 meeting. The motion was adopted by a vote of 3 ayes: Waterbury, Behling, and Yawman, 0 nays.

Old Business

Bait Shop/Sporting Goods Store- Special Use Permit Application

Waterbury introduced the applicants. Waterbury said the focus is to determine if the application is complete before sending the application to the Planning Board, who will determine if the site plan is approved. Waterbury thanked the applicants for their follow-up information.

Waterbury asked the applicants to describe their plan. The applicants said they would like to own their own business and that they feel Mexico could benefit from a bait shop that sells live bait, hunting gear, and fishing supplies. Seiter asked for the square footage of the building; applicants replied it is less than 4,000 square feet. Seiter asked if building would be renovated or rebuilt; applicants replied that the building will be renovated, not rebuilt.

Yawman said a concern was driveway space with parking. Waterbury asked the applicants if they had discussions with the state DOT; the applicants have not. Waterbury said the concept of a pull-off for tow vehicles and trailers may involve the state right of way. Waterbury said the intersection adjacent to the property had traffic that is moving very quickly. Waterbury said the parking and traffic is a topic that the boards will most likely need more information about. Yawman asked the applicants for more information about the LED sign; applicants said the sign is not yet purchased and the dimensions are on the sign information submitted to the board. The applicants said that the parking lot is on the side of and behind the

building. Waterbury said the deepest point on the driveway from North to South is roughly 50'. The applicants said there is a pull off on the other side of the road. Waterbury said parking will be an element to consider. Waterbury asked the ZBA members to review section 340, the checklist for the application. Waterbury listed the elements in the application and the board agreed that all elements are present. Waterbury asked the applicants if they had a timetable to open. The applicants said April 1st or early spring and that interior renovation will occur through the winter months with exterior work occurring this fall.

Seiter said it's a type 2 action for the following reasons: the building is already in place, the parking lot is already in place, there is little to no environmental impact, no area variance is requested, and there will be no new structures. Seiter advised the board to deem it a type 2 action but that his office can send out lead agency letters, specifically to the DOT and county.

A motion was made by Yawman and seconded by Waterbury that the application for the bait shop is complete. The motion was adopted by a vote of 3 ayes: Waterbury, Behling, and Yawman, 0 nays.

A motion was made by Behling and seconded by Yawman that the application is a type 2 action and requests Seiter send out lead agency letters to county planning board and state DOT. Seiter said DEC or NYS Historical groups do not need to receive lead agency letters. The motion was adopted by a vote of 3 ayes: Waterbury, Behling, and Yawman, 0 nays.

Seiter suggested the board schedule the public hearing and send certified mail letters to adjacent properties. Waterbury explained the notification of neighbors via certified mail process to the applicants. Waterbury said all neighbors 500' from property lines should be notified. Marsden said he will coordinate with the applicants to send certified letters. The public hearing will be Sept 19th at 7:00pm at McAuslan Hall prior to the ZBA meeting.

New Business- none

Other Business

Marsden asked for an interpretation from the ZBA regarding a silo sign for a tasting room business. Marsden asked if the sign needs a special use permit. Seiter said the sign can't be larger than 50 square feet and the structure on which it is mounted matters not. Seiter doesn't believe a special use permit is needed if the sign is less than 50 square feet.

The next ZBA meeting will be held August 22, 2022 at 7:00pm at McAuslan Hall.

A motion was made by Waterbury and seconded by Yawman to adjourn at 7:40 pm. The motion as adopted by a vote of 3 ayes: Waterbury, Behling, Yawman, and 0 nays.

Respectfully submitted,

Nicole Wild
Town Clerk