

**Mexico Planning Board
Minutes of the Regular Meeting
Held June 3, 2024 at the Town Hall
Commencing at 6:30 P.M.**

Present: Nancy Weber, Chairwoman
Bonnie Loforte, Counselor
Gary Toth, Counselor
Allison Trudell, Counselor
Graham Seiter, Town Attorney
Ron Marsden, Code Enforcement Officer

Absent: Karen Davies-Buckley, Counselor

And 3 in the audience.

Chairwoman Weber called the meeting to order with the Pledge of Allegiance at 7:00 pm.

A motion was made by Trudell and seconded by Loforte to approve April and May of 2024 regular meeting minutes. The motion was carried by a vote of 4 ayes: Weber, Loforte, Toth, Trudell, and 0 nays.

Old Business

Accessory Use

Weber said she would like to review a section of the local zoning law regarding accessory use, citing it as a vital part of planning. Weber said this should be included as part of the comprehensive plan. Weber said accessory use was originally meant to keep a solid tax base and prevent the lakeside from becoming permanent RV lots. Weber referred to p. 49, sections 1 and 2 being important; states clearly that you have to have a house to have a storage unit/accessory building. Weber suggested realtors make clients aware of what is and is not allowed. Trudell suggested people do their own research and it's not the realtor's responsibility.

Seiter said there isn't a standard responsibility belonging to anyone except the buyer to do his/her own research before buying the property. Weber said she anticipates a variance application. Weber said our local law forces a back and forth between the ZBA and Planning Board. Loforte said Mexico is the only town who goes in this direction; Seiter agrees that the process and law needs revision. Loforte said efficiency is lacking.

Toth inquired if the standard procedure would normally be planning board for review of site plan and local law and then to approve or deny. Seiter said some applications never even go to ZBA. Weber said the ZBA is a board of appeals so they should not be part of the planning board process; their function is to review appeals of Planning Board decisions. Seiter said the process is that the only recourse after the ZBA is an article 78. Loforte said the town is burdening our board members as well as our constituents with an inefficient process. Waterbury said that, often, the applications are not complete that constituents are filing and that the gatekeeping is the zoning office to ensure the application is complete. Loforte said more efficient handling will relieve some of Marsden's burden too.

Seiter said potential buyers could hire an attorney to review the local law and make determinations on what is and is not allowed on the property. Seiter said people will ask if subdivisions are legal according to town laws and he has to research the law. Marsden said an upcoming applicant has to apply for an area variance at the very least.

Loforte suggested being careful to changes the town makes in order to not accidentally set precedence. Toth said consistency is important. Weber said the board needs to be aware of what happens outside these meetings; this board can itemize a list of things for the comprehensive planning board to consider. Weber said the language in the comprehensive plan won't be in legal but it will give the town support to change the local law to match the plan. Trudell wants to know how specific the comprehensive plan language needs to be in order to support revisions of the law. Weber said very specific, for example, businesses are required to be in your home and if the town would like to allow a business to be outside their main dwelling but still on their property, the law needs to be changed.

Seiter said the Comprehensive Plan is meant to be a road map to direct the laws. Mr. Trudell said the survey will show us what property owners want to be able to do with their property. Seiter said the comprehensive plan is important to applying for grants. Loforte said the village and town are members of the NYS Planning Federation, which is a great resource for helping with planning.

New Business

Other Business

A motion was made by Trudell and seconded by Loforte to adjourn at 7:51pm. The motion was carried by a vote of 4 ayes: Weber, Loforte, Toth, Trudell and 0 nays.

Respectfully submitted,

Nicole Wild
Town Clerk