

**Mexico Zoning Board of Appeals
Minutes of the Regular Meeting
Held June 17, 2024 at the Town Hall
Commencing at 6:30 P.M.**

Present: Ned Waterbury, Chairman
Lori Behling, Counselor
Mathew Bryant, Counselor
Dan Yawman, Counselor

Absent: Marty Trey, Counselor
Ron Marsden, Code Enforcement Officer
Graham Seiter, Town Attorney

And 2 in the audience.

Chairman Waterbury called the meeting to order with the Pledge of Allegiance at 6:34 pm.

A motion was made by Yawman and seconded by Behling to approve the May ZBA minutes. The motion was passed by a vote of 4 ayes: Waterbury, Behling, Bryant, Yawman, and 0 nays.

Old Business-

Special Use Permit Application- Accessory Use, Pole Barn, 2911 ST RT 104, Paciga

Waterbury said he met with Marsden who informed him that the application was being modified; Paciga has engaged professional services to help with the process, including an engineer, surveyor, and possibly an attorney; Waterbury informed the board the public hearing for this application that was originally scheduled for this evening was canceled.

Yawman asked if the matter is just tabled. Waterbury said that there was not a complete application and the application may return changed.

New Business

Other Business

Accessory Buildings, Pole Barns, Local Law General Discussion

Waterbury asked the board to go to section 550, item 2, of the local zoning law and read the section aloud. Yawman asked for the definition of "recreational vehicle" and read the definition aloud. Waterbury said that a previous ZBA member may be able to provide information about the reasoning. Bryant suggested it may be to prevent people living in pole barns as a primary dwelling. Weber said that she recalls the town being concerned with property values and protecting those; pole barns and campers would not bring as much value;

being a bedroom community, protecting the lakefront property from becoming full of campers and movable housing was a concern.

Behling said a resident can't have a pole barn to keep an RV in there but they can keep a boat and a boat is considered an RV. Yawman said they're not labeling a pole barn as "accessory use;" they're naming it as "other." Waterbury said the town board settled on saying that, until the comprehensive plan is complete, that applications could come through using the "other" category. Weber said her impression was that they intended to adopt the "accessory use" label with its original intent. Weber said the "other" category should be used seldom and thoughtfully.

Yawman said section 420 chart shows accessory use permitted everywhere but the R1 district says it's available but discussion ensues when we read the definition for accessory use and there doesn't seem to be a specific description just that it is a subordinate building. Yawman said the thought process was that a secondary structure is allowed but is uncertain how that can be if there isn't a primary building; if that's the intent, then there's no way for anyone to put any secondary building anywhere without a primary dwelling. Yawman said a lot of things could go in the "other" category. Yawman said it needs to be determined whether or not you can build a secondary building without a primary building. Behling said in 548 that a main building is described as residence with up to three additional accessory buildings. Weber said you can't get a certificate of occupancy for a pole barn because a pole barn is not technically a home.

Weber said there are pole barns with residences inside. Yawman read the definition of residential use and said that adding living space to a pole barn would be considered a one-family dwelling. Weber said there are also state regulations for housing and Marsden is the expert on that. Behling said that people should not be able to call a pole barn with a small apartment a one-family dwelling if the owner does not dwell there. Bryant said Marsden would need to issue the Certificate of Occupancy so he would like to have more information about this from Marsden. Weber said people also contend with their home zoning laws.

Weber urged everyone to attend the meeting next Monday regarding the Comprehensive Plan because the public will help inform the plan for the village and town.

Manufactured Housing, Local Law General Discussion

Waterbury asked the group to discuss "aesthetic and architectural standards" related to the NYS Manufactured Housing mandate; wonders who in the town would manage the task of discussing said standards. Weber said part of their review does consider if it's conducive to the rest of the neighborhood; it appears to her that if their plan fits and they receive a permit, this application will not have to appear before either board at all.

Waterbury said the town needs to consider who will be making decisions regarding manufactured housing and aesthetic and architectural standards. Weber said there are some communities where the difference would be obvious, for example, track housing in suburban areas. Waterbury said the town could be facing more of these questions and situations once Micron begins developing and a need for housing grows. Weber said we will be facing land pressure as Syracuse continues to grow. Weber said there are places on the lakefront that have

very strict rules. Weber said Mexico is ripe for developers with lots of open land so the town needs to figure out how to manage the growth.

A motion was made by Waterbury, seconded by Yawman to adjourn at 7:43pm. The motion was approved by a vote of 4 ayes: Waterbury, Behling, Bryant, Yawman and 0 nays.

Respectfully submitted,

Nicole Wild
Town Clerk