

**Mexico Planning Board
Minutes of the Regular Meeting
Held September 4, 2024 at the Town Hall
Commencing at 6:30 P.M.**

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

Absent:

And 3 in the audience.

Chairwoman Weber called the meeting to order with the Pledge of Allegiance at 6:30pm.

A motion was made by Trudell and seconded by Loforte to approve the July Planning Board minutes. The motion was passed by a vote of 5 ayes: Weber, Davies-Buckley, Loforte, Toth, Trudell, and 0 nays.

Old Business-

Ag/Mkt Steering Committee Update

Weber said there is a meeting on Monday, September 16th at 1:30pm McAuslan Hall and the Comprehensive Plan Committee will meet September 18th at 6:30pm at the Village Office. Toth added that there will be a presentation to the community about a proposal for her feasibility study.

Local Law Update

Weber urged the group to take notes on revision to the local zoning law. Trudell asked if the board could have a meeting specific for the purpose of focusing on the local law. Weber agreed that it was a good idea and suggested that a couple committee members could form a focus group for creating suggestions for the local law revisions.

Mike Dowling introduced himself at Weber's request; Mr. Dowling represents the waterfront area for Mexico as a long-time seasonal resident. Weber thanked Mr. Dowling.

John Constanza introduced himself as the owner of The Space Place currently requesting a storage expansion. Weber thanked Mr. Constanza.

New Business

The Space Place Storage Expansion – 2914 ST RT 104

Applicant: John Constanza

Weber thanked Mr. Constanza for his attendance and for maintaining and improving his small business over the years. Weber asked the board to review the application for a special

use permit. Weber recalled an application to add a storage building that never came to fruition. Constanza said the placement of these two buildings is easier. Weber thanked the applicant for a thoughtfully engineered plan. Weber said in reviewing the past minutes the original business began before the zoning law went into effect. Weber said there seems to be a difference of opinion on "use variance" or "special use" permit for this application and asks the board members for their opinions. Weber said a use variance would be more appropriate but opens the discussion to the board, citing that the original application. Seiter said the only thing the planning board should do is to review the site plan; that the ZBA made a motion to approve the special use permit application.

Weber directed the board to the local law for site plan review; section 335 that site plan approval is provided by the planning board. Weber read that section of the local law. Constanza said there is only a fenced in area for RV storage. Weber said a previous permit was granted with provisions for trees planted in 2005 and wondered if they were actually planned. Seiter said the area is wooded. Trudell said the proposed plan has a proposed wood line. Constanza clarified that trees will have to be cleared and fill brought in but the proposed wood line is where the woods will begin. Weber asked about the dam and the drainage system. Constanza showed the board where the water flows down the hill and across his property and where Lacele has put a swale. Constanza confirmed that work would happen in 2025.

Weber listed the components that need to be part of the application. Weber asked who borders the property on the backside. Weber asked if there were ROWs on the property. Constanza said there is a phone company ROW at the back of the property. Weber referenced page 24 of the local law; she read the section aloud. Constanza confirmed flood abatement exists. Toth asked if the depth of the property was over 500 feet. Constanza said there are 21 acres there. Weber asked if the existing buildings are raised. Constanza said the area has been filled and built up and a culvert exists to direct drainage. Constanza said that fill will need to be added with 8" of gravel to set the buildings upon. Weber asked if fill is denoted elevation-wise on the map. Constanza said drainage will be around the buildings, not underneath them. Constanza said building height will be 16' tall. Weber said they need to be denoted on the actual site plan, height included. Constanza said one unit will be 8'6" tall and one will be 16' tall. Marsden said non-residential has no building maximum height listed. Constanza said he is considering putting in a gate in the front with a code and fence all the way around. Weber and Marsden encouraged Constanza to add the fence to the site plan now for approval so that he can just proceed with it when needed. Weber said they could add it to include a possible security fence.

Constanza said the ingress and egress won't change and that the surface is gravel. Constanza said there are no fire prevention methods. Constanza said there will be no change to signage. Weber confirmed 8 spots on each building will be outdoor lights and those are the only lighting added. Constanza is unsure if this will be the last expansion. Weber said they do not have drawings of the building floorplans. Weber asked Constanza for drawings of the buildings to accompany the plan; Constanza will get the drawings once the buildings are paid for and send them to Marsden. Constanza confirmed that they are pre-fabricated and assembled on sight. Constanza said electric is buried. Constanza confirmed that the buildings will be completed by December of 2025.

Davies-Buckley said the short environmental assessment form was missing when materials were sent to the Planning Board. Weber said part of their review includes the information on the short environmental assessment form. Seiter said the ZBA deemed the application complete and urges the planning board to still review the site plan. Weber said they need to review the short environmental assessment form. Constanza said the business is accessible 24 hours a day, 7 days per week. Marsden made copies of the short environmental assessment form for the board. Weber thanked Marsden. Marsden and Weber discussed disagreements with the zoning law and due process.

Constanza confirmed there will be no retail sales. Weber asked if the hydrants were marked on the map; citing concern for fire preparedness. Weber informed the applicant that the questions the board is asking are required by the zoning law. Weber said litter, excessive nighttime lighting could be concerns. Constanza said that any abandoned belongings are generally taken to best kept secret or second-hand stores or put out for free and people take the items; Constanza said people are expected to remove their own unwanted items but he removes abandoned belongings. Constanza said no change to the existing driveway will be made; ingress and egress are the same. Seiter said the NYSDOT deemed the Town lead agency and have no further comments. Seiter said there has been no response from the historical agency notification. Weber said they will defer to the Zoning Board for the public hearing. Weber referred to section 355 and Loforte said she suggests they waive further discussion, citing having already discussed it.

Weber asked the board if they would like to make any additional requirements. Toth asked when the notices were sent to the neighbors. Marsden said Constanza needs to send neighbors the letters soon; neighbors within 500 feet need to be notified of the public hearing. Weber asked for a copy of the county planning board report. Seiter said he would send copies to the Town Clerk who can send it to the planning board members.

A motion was made by Toth and seconded by Loforte to approve the site plan as presented. The motion was approved by unanimous vote.

Other Business

Next meeting will be October 7th at 6:30pm at the Town Hall as regularly scheduled.

A motion was made by Toth, seconded by Trudell to adjourn at 8:07pm. The motion was approved by a unanimous vote.

Respectfully submitted,

Nicole Wild
Town Clerk