

**Mexico Zoning Board of Appeals
Minutes of the Regular Meeting
Held September 16, 2024 at the Town Hall
Commencing at 6:30 P.M.**

Present: Ned Waterbury, Chairman
Mathew Bryant, Counselor
Marty Trey, Counselor
Lori Behling, Counselor
Dan Yawman, Counselor
Ron Marsden, Code Enforcement Officer
Graham Seiter, Town Attorney
Nancy Weber, Planning Board Chairwoman

Absent:
And 3 in the audience.

Chairman Waterbury called the meeting to order with the Pledge of Allegiance at 6:40 pm.

A motion was made by Behling and seconded by Yawman to approve the July ZBA minutes. The motion was passed by a vote of 3 ayes: Waterbury, Behling, Yawman, and 2 abstentions: Bryant, Trey.

A motion was made by Waterbury and seconded by Yawman to approve the August ZBA minutes. The motion was passed by a vote of 3 ayes: Waterbury, Behling, Bryant, and 2 abstentions: Behling, Trey.

Old Business

The Space Place Storage Expansion – 2914 ST RT 104

Applicant: John Constanza

Waterbury introduced the application and said that the copy of the deed was included and noted the site plan was reviewed and approved by the Planning Board without special conditions; Waterbury told the board they have up to 62 days to make a determination if necessary. Waterbury said they received the supporting map or drawing done by the engineer; asked the board if they had any questions or concerns. Waterbury would like to read through section 345 and asked Yawman to read aloud each part; 1-no adverse effect, 2-no changes in egress/ingress, 3-no concerns with emergency vehicle access, 4-no changes in egress/ingress, 5-no requirements/concerns for screening. Marsden said a security fence has been added to the site plan and it contains a 6' chain link fence with gate. Yawman continued reading section 345; 6- no drainage concerns, 7- no exterior lighting concerns, 8- no utilities concerns, 9- no historic impact, 10- no surrounding property impact, 11- no concerns regarding site, 12- no existing violations.

Seiter read through the SEQR short form assessment questions: 1- no, 2- no, 3- no, 4- no, 5- no, 6- no, 7- no, 8- no, 9- no, 10- no, 11- no, 12- no, 13- no. Seiter said, based on the board's responses, he recommends making a negative declaration.

A motion was made by Bryant and seconded by Behling to make a negative declaration on the SEQR short form assessment. The motion was passed by a vote of 5 ayes: Waterbury, Behling, Bryant, Trey, Yawman, and 0 nays.

A motion was made by Behling and seconded by Waterbury to approve the special use application submitted by John Constanza for additional storage units at The Space Place Storage at 2914 ST RT 104 in the Town of Mexico. The motion was passed by a vote of 5 ayes: Waterbury, Behling, Bryant, Trey, Yawman, and 0 nays.

New Business none

Other Business

Can and Bottle Redemption Center on ST RT 104 in the Town of Mexico

Marsden said in the M1 zone, a Can and Bottle redemption center is operating on 104 past Maple View just outside of the commercial zone and he is unclear how to proceed with an application. Marsden said there is an existing auto repair shop on the same parcel. Marsden reviewed the old site plan. Marsden said the building already existed but they've opened a can and bottle redemption center in it; it is being rented to someone; he operates the garage and does the redemption center. Yawman read commercial allowed uses, special use permit list, and said it is potentially short-term storage of materials for shipment. Trey asked why is it not considered a recycling center; Behling said material isn't actually recycled there, just collected and stored before shipping to a recycling center. Waterbury asked if there are any existing violations and Marsden said no.

Waterbury asked who owns the property. Marsden said the county site shows it under the original owner who is currently deceased; the entire parcel is part of the lease. Behling suggested short-term storage. Marsden said there's nothing not allowing two businesses on the same parcel. Behling said under "other uses" short term storage of materials before shipping. Waterbury agrees, Seiter agrees. Marsden said no outdoor storage would be allowed and will make sure signage is noted on the site plan. Yawman summarized, it would be a special use permit under the other uses category for a short-term storage of materials to be shipped. Bryant asked if the board concerns itself with setting precedence for future applications. Waterbury said the boards can make conditions on the site plan. Marsden said the business operator is cooperating with him to get necessary permitting. Marsden said the assessment will change with the addition of a new business. Marsden said all permits are for one year and you can renew it annually after that point.

A motion was made by Waterbury and seconded by Yawman to adjourn at 7:34pm. The motion was passed by a vote of 5 ayes: Waterbury, Behling, Bryant, Trey, Yawman, and 0 nays.

Respectfully submitted,

Nicole Wild
Town Clerk